

Romania – In Church We Trust!

An Analysis of the Nationalistic Discourse of the Romanian Orthodox Church in four case studies: involvement of clergymen in general elections, the property restitution towards the Greek-Catholic Church, restitution of Emanuil Gojdu's property towards Gojdu Foundation and the construction of the Orthodox "Mântuirea Neamului" Cathedral.

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Oana Iuliana Murgoci

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Introduction

This thesis investigates the intricate relationship between the Romanian Orthodox Church and the Romanian State after the fall of Communism. In order to illustrate the established patterns of Church-State relations, I have chosen four main case studies: the political involvement of clergymen in general national elections; the property restitution towards the Greek-Catholic Church; the controversy concerning the Gojdu Foundation; and the project for the construction of the “Mântuirea Neamului” Orthodox Cathedral. In all these cases, the Orthodox Church was at the forefront of public debates. I argue that the Romanian Orthodox Church has managed to surpass the constitutional role assigned to it by appealing to nationalist feelings in order to gather mass support to its cause.

The Romanian Orthodox Church enjoys an influential role in Romania among the other confessions due to its image of “keeper of the faith” during communism. Romanian society places a great deal of trust in the church, regarding it as the beacon of faith and morality, and valuing it even more than other state institutions. Consequently, when the church becomes politically involved, public opinion tends to follow in its footsteps.

I decided to engage in a study on the presented topic as there is visible lack of research in the area, especially after the transformations brought about by the 1989 regime changes. Romanian historians and researchers were more focused on the complex relations between Church and State under communism than on the post-communist period. Even though there are some initiatives in Bucharest at the History Faculty where a Centre of Church History is in place, the results are slow to emerge because of lack of access to crucial information.

I contend that the Romanian Orthodox Church has played a crucial role in the four cases: it went back on its decision of non-involvement of clerics in politics; in the case of property restitution, it did not accept the ruling of the Supreme Court to return all the properties to their rightful owners after 1990; in the Gojdu case, it mobilized public opinion in its support and managed to prevent a governmental ordinance from being passed in the Parliament; and in the last example, it convinced the Parliament to finance the Orthodox Cathedral with public money. The research will tackle the influential position of the Church in society.

The Romanian Orthodox Church always appears in opinion polls to hold the highest amount of trust from the part of the population¹. In 2007, according to different polls, the Church enjoyed 84% of the population's trust, seconded closely by the Army,² while the political class is on the last place in this equation. In order to prove this point I will engage in a comparative analysis of the four cases to illustrate the extent of Church's influence in society and politics. I will focus on the official statements the Romanian Orthodox Church, their presence in mass-media, their mobilization of the public opinion and the causes which led to their desired outcome. I want to stress that due to lack of scholarly research of the topic I will base my findings particularly on the qualitative examination of legal documents and newspaper articles. I have also conducted one interview with Mr. Aurel Pavel, secretary of the Gojdu Foundation in Sibiu which will be featured in the text. The main body of sources consists of books related to the field of church-state relations, journal articles, official documents issued by the Romanian

¹ "Românii au cea mai mare încredere în Biserică" [Romanians have the Highest Trust in the Church], 9 September 2007, Available online at [<http://www.evz.ro/articole/detalii-articol/459450/Romanii-au-cea-mai-mare-incredere-in-Biserica/>], last accessed on 10 April 2009.

² "A scăzut Biserica în ochii românilor?" [Is the Church Losing Ground in the Eyes of Romanians?], 14 August 2008, Available online at [<http://stiricrestine.ro/2008/08/14/a-scazut-biserica-in-ochii-romanilor/>], last accessed on 10 April 2009.

Orthodox Church and the Romanian Government, archival documents of the Gojdu Foundation, newspaper articles in Romanian Press (*Ziua*, *Cotidianul*, *România Liberă*, *Jurnalul național*, etc.) and interviews with members of the Gojdu Foundation and Romanian Orthodox Church.

The reason for choosing these cases is because they all provide good examples in which the Church has been able to bring about favorable decisions to its interests, but where there has been also some backfire. The point is to assess if its position has been affected or if the level of trust has stayed the same or augmented. The importance of the cases lies also in their impact on the public. All these areas were expected successes of the Church, but not all of them had the same reverberations.

Firstly, when the clergymen got involved politically after 1989, the overall credibility of the Church as a whole dropped. The public opinion did not approve of the direct link between the priests and the politicians. Only in 2004, an electoral year, did the Patriarchy request officially that priests should not enter politics because of the incompatibility of their spiritual work with the material world; if they chose to continue, they had to quit their position as a priest. After four years, the same Patriarchy went against that ruling and decided that priests can be politically involved under certain conditions.

Secondly, the first plans for the new cathedral were drafted for the first time 130 years ago; after the 1989 revolution they were promoted again, but there were always obstacles to their implementation until a couple of years ago. A Parliamentary decision adopted in 2005 finally approved the project; in 2007, it was also decided that the state budget will finance the edifice, together with the Orthodox Patriarchy and public donations. However, there are voices that do not agree with the state budgeting an edifice that will serve only one confession, denouncing this practice as an example of religious discrimination.

Thirdly, in the Gojdu case the Romanian Orthodox Church has managed to prevent the implementation of a Senate resolution and buy time to solve the issue in its favor. There arose a heated political debate between politicians in favour of better relations with Hungary (led by Foreign Affairs Minister Răzvan Ungureanu) and the ones pushing for property restitution in accordance with Emanuil Gojdu's testament(deputy Aurelian Pavelescu). At the beginning of 2008 the president of the Gojdu Foundation, Laurențiu Streza (Orthodox metropolitan of Ardeal), declared that he is trying to get the support of the Romanian state to start a lawsuit against the Hungarian state to recuperate the inheritance of Emanuil Gojdu. There is no change at the present moment, because the Church is trying to convince lawyers to take the case pro-bono with the possibility of being paid after the properties are returned.

Fourthly, the property restitution from the Orthodox Church towards other confessions did not go as planned, because of the interests of the apostolic Church. The case of the Greek-Catholic properties was central, because in the 1923 Constitution, they were recognized as a national church together with the Orthodox one; during communism, the Greek Catholic Church was outlawed, and its property given to the Orthodox Church. In 1990, when they were reestablished by the law and they claimed back their property, the Orthodox Church was not kin to abide and the state did not force its ruling, leaving the situation unresolved for a long time before agreements were reached. The most engaged literature is to be found on the subject of Greek-Catholic restitution of properties after the fall of communism. Anton Moisin³ gathered materials that document the difficult life of this denomination after 1989 and its struggle to recuperate its assets. Most works on the Romanian Orthodox Church and its role in modernity touch upon the delicate issue of property restitution towards Greek-Catholics. Yet, the Orthodox

³ Anton Moisin, *Mărturiile prigoanei contra Bisericii Române Unite cu Roma Greco-Catolice între 1990-1995* [Confessions of the persecution against the Romanian Church United with Rome Greek-Catholic between 1990-1995], (Sibiu: Polisib, 1995).

authors see it as a false problem, because 1948 signifies for them the return of the prodigal sons back to the “mother” Church. Continuous debates have kept the front pages of newspapers for almost twenty years, but little academic research was done to support the Greek-Catholic claims.

Unlike Preda’s argument which suggests Orthodox Church needs to learn the “culture of dialogue” if it wants to be an active part of modern society, Alexandru Moraru,⁴ presents the church in its interactions with other religious denominations. He asserts Orthodox Church to be an allied of the other confessions in the battle to promote religion after the fall of communism. However he lacks to mention the property restitution problems of the Romanian Orthodox Church with the Greek-Catholic Church, that still constitutes an important point of discord.

Literature evaluation

In order to grasp the present situation in Romania, in the following I will critically evaluate the literature on church-state relations in Romania after 1989. Except for church scholars, the majority of articles and books agree on a high number of issues related to the perception of the Orthodox Church in Romania after the fall of communism: growing importance of the Church among state institutions, (unpermitted) political affiliation of clergymen, property restitution, stress on preservation of Romanian nationalism by the Church under communism and others.

In the following, I provide a critical overview of the available academic literature. This will help organize the material and offer interesting paths of argumentation for building my own conclusions. In arranging the selected material, prominence is given to closely related articles, as you will observe from the titles provided, since my interest at this point is to dive into the core resources. The general works on the church-state relations will be left for the actual process of writing.

⁴ Alexandru Moraru, “Romanian Orthodox Church in dialogue and cooperation with the minority churches”, *Studia Universitatis BabesBolyai Orthodox Theology*, Vol. 12/ 1999, pp. 43-50.

Lavinia Stan's and Lucian Turcescu's book, "Religion and Politics in Post-Communist Romania"⁵ focuses on the links between religion and nationalism, religion and politics. The authors prove that the position of the church in Romania consolidated after 1989 while they redefined their identity in the new democratic state and became viewed as the "national Church". The authors analyze four models of Church-State relations and wonder if any of them can be compatible to democracy in Romania. In the end they find that none of the models is compatible, but this does not mean that Romania is a lost case, on the contrary, the future development of democracy is seen in the ability of the two institutions to tolerate one another under the watchful eye of public opinion. Democracy is not the aim of the current study, but it contributes by offering a new point of view to coin the complex relationship between the two institutions in modern day. The study proves to be a great tool for examination because the authors had access to secret information from the Securitate archives and they offer a full rounded picture of connections between religion and state by assessing areas like education, elections and European integration. Elena Ștefoi, treats the same subject in a less extensive study, but she focuses on the chronology of activities of the Orthodox Church in relation to the changing state authorities and their politics.⁶ Unlike the first authors, the second read is more incisive with the Church's actions and follows the press releases very carefully to pinpoint inconsistencies in its declarations up until 2002. However, the text focuses on the analysis of these events from the perspective of integration in the European Union, but it enriches my research as well.

⁵ Lavinia Stan, Lucian Turcescu, *Religion and Politics in Post-Communist Romania*, (Oxford: Oxford University Press, 2007).

⁶ Elena Ștefoi, "Biserica Ortodoxă Română după comunism. Imagine, practici, opțiuni" [Romanian Orthodox Church after communism. Image, practices, options], in *Pentru un creștinism al noii Europe* [For the Christianity of New Europe], Seria Boltzmann, Vol. 3, (Bucharest: Humanitas, 2007), pp. 147-202.

Olivier Gillet⁷ is among the only foreign researchers interested in the Romanian national feeling and its connection to religion. He goes out of his way to portray the survival mechanism of the Orthodox Church during the communist period. His findings tend to be invariably one sided. That is why I find it useful to consult George Enache's book, "Ortodoxie și putere politică în România contemporană"⁸, that goes against Gillet's arguments. Enache emphasizes the pressure of the Securitate on the Church and he gives as examples numerous cases of make-believe arrests among clergymen and Orthodox believers while trying to underline the resistance from inside the Romanian Orthodox Church to the communist regime. These works provide data and analysis on their own, but together they are extremely valuable especially because the risk of falling in one extreme or the other is in check.

Flora Gavril and Georgiana Szilagyi wrote the article "Church, Identity, Politics: Ecclesiastical Functions and Expectations toward Churches in Post-1989 Romania"⁹. Drawing from the view point that religious denomination reinforces political affiliation and that builds the national identity of a country in Eastern Europe, the authors take Romania as a case study. With the help of data collected from the Aufbruch comparative international research project, the two authors go about explaining how the church is perceived at the local level and how much trust is bestowed upon it. The study is thus relevant for my research, covering very well the behavioural patterns of church followers in Romania between 1996 and 2000. Mălina Voicu's¹⁰ work adds

⁷ Olivier Gillet, *Religion et nationalisme. L'idéologie de l'Eglise orthodoxe roumaine sous le régime communist*, (Bruxelles: Editions de l'Université de Bruxelles, 1997).

⁸ George Enache, *Ortodoxie și putere politică în România contemporană* [Orthodoxy and political power in contemporary Romania], (București: Nemira, 2005).

⁹ Flora Gavril, Georgiana Szilagyi, "Church, Identity, Politics: Ecclesiastical Functions and Expectations toward Churches in Post-1989 Romania," in *Eastern Orthodoxy in a Global Age: Tradition Faces the Twenty-First Century*, ed. Roudometof Victor, Agadjanian Alexander, Pankhurst Jerry G. (Rowman Altamira, 2006), pp. 109-143.

¹⁰ Mălina Voicu, *România religioasă. Pe valul european sau în urma lui?* [Religious Romania. On the European wave or behind it?], (Bucharest: Institutul European, 2007).

newer data to the investigation of trust in Church in Romania by appealing to the World Values Survey, the European Values Study and the Barometer of Public Opinion. Voicu assesses a number of factors that influence positively the trust in church: high religiosity, leftist political orientation in poorer European countries, negative assessment of the governing power and low social development. Although public opinion is thoroughly examined, it is not her goal to link poll findings to national discourse.

It is within this context that I place myself through this research. Borrowing from the individual analysis of Stan and Turcescu, on the one side and Voicu on the other, I find a niche that has not been explored to this point. Can the Orthodox Church through its use of nationalistic discourse mobilize public support to fulfil its own goals? In certain cases, I believe this is correct, but to demonstrate it I choose examples both supporting my initial hypothesis as well as providing evidence of the contrary. That is why I decided to focus my attention on two groups of case studies. I picked two cases that tainted the image of the Orthodox Church, the political involvement of clergymen in elections and the property restitution towards Greek-Catholics of assets nationalized by the communist regime and another two cases that reinforced the trust in the Church, the restitution of properties by the Hungarian state to the Gojdu Foundation and the construction of the Orthodox Cathedral “Mântuirea Neamului” in Bucharest.

The four cases are supported by specific literature. Political involved clerics are the subject of Turcescu and Stan's article.¹¹ Explanations on how clergymen became actively involved in politics after 1990, give an overview and set the stage useful for interpreting the 2008 surprising decision of the Holy Synod, that allows limited electoral involvement of priests, even if in 2004 it was completely dismissed as incompatible with the Church's mission. Rich examples are

¹¹ Lucian Turcescu, Lavinia Stan , “Religion, Parties and Elections in Post-Communist Romania,” Central and Eastern European Online Library, Issue 123-124 (2006).

offered by the study which increases its value because except newspaper articles, there is no relevant academic work devoted to the topic.

Sorin Dan Șandor argues that the political class is too involved in religious affairs to the point of obstructing Church's activities. He uses examples that range from introduction of religious education in schools, the stand on homosexuality and prostitution, the interaction with other confessions and the support given to the state and vice versa. The idea underlined is that the relation between the state and the church is and was advantageous for both parties; the state granted many opportunities for the Romanian Orthodox Church after 1989 to redeem its position after 45 years of communism and the church accompanied the state representatives at public events assuring the support of the public. But then again, this argument appears in all the research body consulted.

Silviu Rogobete¹², Florin Frunză¹³, Radu Preda¹⁴ and Marian Chiriac¹⁵ focus on the same subject, the Law on Religious Denominations. A revised law was adopted in 2006, but there are still debates regarding it and their studies provide insight to understand the long process preceding it. Connected to this dispute is the problematic issue of Greek-Catholic properties, unsolved completely to this day.

All the works discussed above argue that Church and State in Romania need to coexist and learn to cooperate for the benefit of society without obstructing each other's activities. Another

¹² Silviu E. Rogobete, "Perpetua odisee a unui nou Proiect de Lege privind Regimul General al Cultelor într-o țară din sud-estul Europei: Cazul României" [The Perpetual odyssey of a new bill regarding the general regime of religious denominations in a country from South-East Europe: Romanian case] in *Pași spre integrare* [Steps towards integration], Eds. Sandu Frunză, (Cluj-Napoca: Limes, 2004), pp. 121-136.

¹³ Florin Frunză, "Biserica ortodoxă română și laicizarea" [Romanian Orthodox Church and laicization], in Eds. Radu Carp, *Un suflet pentru Europa. Dimensiunea religioasă a unui proiect politic* [A soul for Europe. Religious dimension of a political project], (Bucharest: Anastasia, 2005), pp. 274-295.

¹⁴ Radu Preda, "Cultura dialogului sau despre o alta relație Biserică-Stat" [The Dialogical's Culture or about another Church-State Relationship], in *STUDIA, Teologia Ortodoxă*, Nr. 1-2/2003, (Cluj-Napoca: University Babes-Bolyai, 2003), pp. 145-158.

¹⁵ Marian Chiriac, *Provocările diversității. Politici publice privind minoritățile naționale și religioase din România* [Provocations of Diversity. Public policies regarding national and religious minorities from Romania], (Cluj-Napoca: Editura CRDE, 2005).

common trait alludes to Church's slow adaptation to modernity¹⁶, democracy¹⁷ and its options¹⁸ facing secularization. Most importantly, the literature is divided between authors which concentrate on a single theme or media scandal, and authors which defend the activities of the Orthodox Church, usually from a theological, and not academic, perspective. Many scholars focus on the future and try to advance policy recommendations on improving the relations among these fundamental institutions.

For the case study regarding the Gojdu property, the testament¹⁹ of Emanuil Gojdu proves to be an invaluable document, helping us better understand how the great Maecenas envisaged the future distribution of his wealth and his intentions towards the establishment of a long term foundation with the aim of providing scholarships for less well off children in Transylvania and Hungary. The document provides as well the legal grounds for distribution of finances and goods to the Romanian Orthodox Church in Transylvania and Hungary. The works of Maria Berenyi²⁰, Titus Serediuc²¹, Cornel Sigmirean²² and Aurel Pavel use important primary resources to build Emanuil Gojdu's personality and distinguish the history of the Gojdu foundation until nowadays. Especially Berenyi's analysis of the press keeps a vivid track of the case's escalation in both Romania and Hungary.

¹⁶ Anca Şincan, "The Romanian Orthodox Church, the state, and European Union. Steps towards integration", in *The Yearbook of the "Gheorghe Şincai" Institute for Social Sciences and the Humanities of the Romanian Academy* (Târgu-Mureş: "Gheorghe Şincai" Institute for Social Sciences and the Humanities of the Romanian Academy, 2008), pp. 210-219.

¹⁷ Wolfgang Stuppert, "Churches and civic activism in Romania. How Orthodoxy shapes Romania's future", *Studia Universitatis Babes Bolyai Politica*, Vol. 1 /2007, pp. 17-45.

¹⁸ Felicia Alexandru, "Church State Relations in Post-Communist Romania. Real Deprivatization or the Way Back to Byzantine Symphonia?", *The Romanian Journal of Political Sciences*, Vol. 02 /2006, pp. 57-69.

¹⁹ "Testamentul lui Emanuil Gozsdu" [The Testament of Emanuil Gojdu], (Sibiu: Tipariul Tipografiei Archiepiscopale, 1899).

²⁰ Maria Berenyi, *Moştenirea lui Gojdu în oglinda presei române şi maghiare (1995-2005)* [The Gojdu inheritance in the mirror of Romanian and Hungarian press (1995-2005)], (Budapest: Societatea Culturala a Romanilor din Budapesta, 2005).

²¹ Titus Serediuc, *Fundația Gojdu - dimensiunea economică* [Gojdu Foundation – Economical dimension], (Sibiu: Editura Universitatii "Lucian Blaga", 2006).

²² Cornel Sigmirean, Aurel Pavel, *Emanuil Gojdu. Bicentenar* [Emanuil Gojdu. Bycentenar], (Bucharest: Editura Academiei Române, 2003).

Except a very few studies on the subject, there is a lack of materials dealing with Church-State relations in Romania after 1989. The reason for this scarce literature was the close relation of the Romanian Orthodox Church with the idea of nation building in Romania, or the close ties of most Romanians in their private life with the traditions and values of the Church. My research is envisioned as a constructive contribution to deepening the knowledge on nationalistic discourse and its power in day to day life of Romanians.

Among the Romanian scholars there is a strong current that recognizes the Romanian Orthodox Church to be too much involved in state related affairs, or at least, to have a big authority in these matters. So far I have not encountered many articles on the beneficial impact of the church on the state policies; on the contrary, researchers compete towards revealing its negative effects on Romania's political scene. My findings on the proposed theme will also be tempered with by the use of a large body of secondary resources and mainly the utilization of newspaper articles to document the media talks revolving around Gojdu case and the construction of the Orthodox Cathedral in Bucharest.

It is hoped that my study of the employment of nationalistic speech by the Romanian Orthodox leaders leads to a better understanding of the Romanian political scene, its actors and the mechanisms used to attract popular support and secondly, reinforces systematic examination of Church-State relations which are extremely important in Romania's case, where Orthodoxy is the confessional majority.

Chapter 1

The Legal Status of the Orthodox Church in Post-Communist Romania

Motto

“Theologically speaking we can say this: church authority can make mistakes at the present moment, but the Holy Spirit never leaves the church.”²³

The purpose of this chapter is to analyze the legal framework of Church-State relations in Romania after the communist era. At the end of the chapter, I will lay down the basis for my trust-related argument in order to shape the analysis of the proposed case studies. I shall begin by briefly presenting the constitutional provisions on religion, with a focus on the Orthodox Church in nowadays Romania and ask if any discriminatory provisions on religion are present. Such an endeavour will prove useful in investigating the reasons behind the high level of trust bestowed by the population onto the Orthodox Church. The final subchapter will focus on the methods used to measure Church trust at European level in general, and in Romania, in particular.

1.1 The Romanian Orthodox Church in the Legal Framework

Communism was an atheistic ideology. However, that did not mean that religious denominations were taken outside the law. In communist Romania, fourteen religious denominations were recognized and functioned from 1948 till 1989. Some denominations held privileged positions in comparison to others. The Orthodox Church constituted one of these

²³ Ion Bria, *Ortodoxia în Europa. Locul spiritualității române* [Orthodoxy in Europe. The place of Romanian spirituality] (Iasi: Editura Mitropoliei, 1995), pp. 19.

denominations. Decree 177 of 4 August 1948²⁴ granted the Orthodox more rights and benefits in comparison to other confessions. For example, Art. 15 reaffirmed the autocephaly and the unity of organization for the Orthodox Church and Art. 49 allowed the Orthodox Church to have two university theological institutes compared to the Catholics and Protestants that only had one for each. The controlling state politics manifested itself in the 1948 decree as well. Denominations and their activities were closely monitored by public authorities, which would be directly involved in their organization.

This legal framework suffered important modifications after the fall of the communist regime. New liberties and rights emerged after the political change initiated in 1989; religious liberty was one of them. The new political changes were consecrated by a new democratic constitution. The Romanian Constitution of 1991, amended in 2003, proclaims in Article 29, Freedom of expression:

- (1) Freedom of thought, opinion, and religious beliefs shall not be restricted in any form whatsoever. No one shall be compelled to embrace an opinion or religion contrary to his own convictions.
- (2) Freedom of conscience is guaranteed; it must be manifested in a spirit of tolerance and mutual respect.
- (3) All religions shall be free and organized in accordance with their own statutes, under the terms laid down by law.
- (4) Any forms, means, acts or actions of religious enmity shall be prohibited in the relationships among the cults.
- (5) Religious cults shall be autonomous from the State and shall enjoy support from it, including the facilitation of religious assistance in the army, in hospitals, prisons, homes and orphanages.²⁵

The article establishes the right of religious denominations to organize themselves autonomously from the state; at the same time they can also receive support from the state especially in the areas of offering religious assistance in the army, hospitals, prisons, homes and orphanages. The concept of church autonomy in relation to the state can be defined as “the

²⁴ Decree 177 from 4 August 1948, Available online at [<http://www.cultura.ro/Laws.aspx?ID=26>], last accessed on 26 May 2009.

²⁵ Romanian Constitution amended in 2003, Available online at [http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=2#t2c2s0a29], last accessed on 19 May 2009.

normal right of the Church to establish its doctrinarian, cultic and juridical norms that define its nature independent of the state and to rule itself through them independent of the state”²⁶.

A series of laws and norms have come into existence to enforce this article. Most of them have proven beneficial for the evolution of the Orthodox Church: article 22 of the Law 18/1991²⁷ clarifies the amount of land that can be owned by religious denominations; confessions are exempted from the payment of taxes for the services and products manufactured under their jurisdiction and are granted fiscal facilities by the state²⁸; the introduction of religious classes in schools in article 9, paragraph 1 of Law 84/1995²⁹; the restitution of properties confiscated by the Communist regime from 1948 till 1989 through Law 501/2002³⁰; Orthodox Church receives support for salaries from the Ministry of Culture and Cults³¹; religious denominations have private budgets but they also receive financial subventions from the State.³² The book “Autocefalie, patriarhie, slujire sfântă”³³ gives credit to the Patriarch Teoctist for his interventions and persistence that the salaries of clerics were organized and land was attributed to halidoms five years after the revolution. In addition, more than 1800 new Orthodox churches

²⁶ Ionuț Corduneanu, “Autonomia Bisericii Ortodoxe față de Stat în România în perioada 1866-1989” [The autonomy of the Orthodox Church in connection to the state in Romania during 1866-1989 period] in Adrian Lemeni, Florin Frunza, Viorel Dima (eds.), *Libertate religioasă în context European*, [Religious freedom in European context], (Editura Bizantină, București, 2005), pp. 366-367.

²⁷ Law 18/1991, Available online at [http://www.cdep.ro/pls/legis/legis_pck.http_act_text?id=1622], last accessed on 19 May 2009.

²⁸ Law 103/1992, Available online at [http://www.cdep.ro/pls/legis/legis_pck.http_act_text?id=13193], last accessed on 21 May 2009.

²⁹ Law 84/1995, Available online at [http://www.cdep.ro/pls/legis/legis_pck.http_act_text?id=15840], last accessed on 19 May 2009.

³⁰ Law 501/2002, Available online at [http://www.cdep.ro/pls/legis/legis_pck.http_act_text?id=37237], last accessed on 19 May 2009.

³¹ Budget of the Ministry of Culture and religious denominations for 2005, Available online at [<http://www.cultura.ro/Files/GenericFiles/buget%202005%20MCC.pdf>], last accessed on 19 May 2009.

³² Law 489/2006, Available online at [<http://www.cultura.ro/Files/GenericFiles/LegeaCultelor-Nr489-2006.pdf>], last accessed on 25 May 2009, pp. 2.

³³ Niculae Șerbănescu, “Autocefalie, patriarhie, slujire sfântă: momente aniversare în B.O.R.” [Autocephaly, Patriarchy, Saint Ministration: Anniversary Moments in B.O.R.], (Bucharest: Editura Institutului Biblic si de Misiune al Bisericii Ortodoxe Romane, 1995), pp. 634.

have been built since the fall of communism and important religious buildings that are part of the national patrimony have been restored.

Besides these norms, the Orthodox Church has received “symbolic” acknowledgement by having its representatives present when the president takes his oath in the Parliament³⁴, when the parliamentary sessions begin and with the occasion of national holidays.³⁵ It must be said that in Romania one can easily find the cross and the icon in public places like school classes, hospitals, or courts. Swearing on the Bible as part of the ceremony of investment of public functionaries is common, even if it is not obligatory, and bears a great significance.³⁶ In September 2007, when the new Orthodox Patriarch, Daniel, was instated, president Traian Băsescu and Nicolae Văcăroiu, president of the Senate, His Majesty King Michael and other local officials were all present at the ceremony.³⁷

Constitutionally, the Orthodox Church does not possess a distinctive place among the other religious denominations. However, in 1923’s Constitution, Art. 22 revered Orthodoxy and the Greek-Catholic Church as “Romanian churches” and the Orthodox Church occupied a favourable place being considered “dominant church in the Romanian state.”³⁸ Regarding the 1948 policy towards religion, Patriarch Justinian told Petru Groza “The Church is an institution that follows always the well-being of the nation”³⁹ and apparently this is how he managed to obtain in 1948 the permission from the Ministry of Religious Denominations for the functioning

³⁴ Florin Frunză, op. cit., pp. 290.

³⁵ BOR, *Alba-Iulia*, nr. 11-12/1993

³⁶ Florin Frunză, op. cit., p. 290-291.

³⁷ The Romanian Patriarchate News Bulletin, The Press Service of The Department for Foreign Church Relations, 12th year, 2007, no. 6, September 2007, Special Issue, The election and the enthronement of His Beatitude Daniel, the 6th Patriarch of the Romanian Orthodox Church, Available online at [http://www.patriarhia.ro/_upload/publicatii/nb_special_issue_sept_2007.pdf], last accessed on 20 May 2009.

³⁸ Romanian Constitution 1923, Available online at [<http://www.rogoveanu.ro/constitutia/const1923.htm>], last accessed on 21 May 2009. This is my translation.

³⁹ Ibid., pp. 10.

of the Romanian Orthodox Church. The Church was autonomous in the state but had to align itself to the communist politics.

Nowadays, even if Orthodox believers are in majority, with a share of 86.7% of the total population⁴⁰, the constitution makes no discrimination towards other confessions. The text does not establish a clear differentiation between the institution of the state and the church but it secures that religious denominations are autonomous. Researcher Florin Frunză interprets this as a partial separation and collaboration between these two institutions.⁴¹

In the post-communist era, the Orthodox heads tried to restore the institutional position the church had in the interwar period. The request of the majority church to be instated in the constitution as the national church clashed with the international framework on the protection of human rights in general, and minority rights in particular. Once Romania started to integrate international norms into its internal framework some disturbance appeared on the horizon of Church-State relations. One of the most stringent issues was the adoption of a new law on religion. A new law on religious denominations was passed in 2006, but the road to its adoption and implementation was laborious and filled with heated disputes.

The earlier law of 1948⁴² imposed a number of restrictions on the natural organization of religious denominations and allowed the state to get involved in the life of the Church. With the regime change in 1989, the state and the churches likewise modified their statuses and tuned their legislation to the new political changes, allowing for Church autonomy and removing state control. The state has no longer the right to vote in the Electoral College and elect hierarchs. Most importantly, the veto right once exercised by state representatives has been discontinued.

⁴⁰ National Institute of Statistics-Romania, Census 2002, Population after religion-regions, counties and areas, Available online at [<http://www.recensamant.ro/pagini/tabele/t48.pdf>], last accessed 21 May 2009.

⁴¹ Florin Frunză, *op. cit.*, pp. 292.

⁴² Decree 177 from 4 August 1948, Available online at [<http://www.cultura.ro/Laws.aspx?ID=26>], last accessed on 26 May 2009.

One of the reasons for which the Church continues to announce the election of new hierarchs to the state is “for salaried contribution”⁴³. *Jus advocatie*⁴⁴ remains maybe the most important influence of the state in the life of denominations in Romania. Under the umbrella of protection, the state supports the wages of functionaries of the church and as mentioned earlier, gives denominations deductions from tax for the buildings where they perform services and the products they manufacture. Through an agreement between the Orthodox Church and the Health Ministry, priests have started missionary work in hospitals. Military priests have their activity inscribed in the Law 195/2000⁴⁵. *Jus advocatie* is a right used only by states without a clear separation from the Church, unlike France for example. As Patriciu Vlaicu points out:

There is a temptation on State's part to exploit politically and electively the influence of the religious groups, and the religious groups, depending on the financial support of the state are forced to accept a *modus vivendi* that limits their autonomy.⁴⁶

Although the author does not mention the case of Romania, a parallel can be drawn between the partial financial dependence of the Orthodox clergy in Romania and the free acceptance of clergymen to be present side by side with political figures at public events. I do not intend to imply there is a direct connection, but rather that these facts should be given adequate importance when analyzing Church-State relations.

In this context, the Draft of the Law of Religious Denominations was slow to emerge – it took sixteen years for it to be approved. In the following, I will try to explain why the Bill of Religious Denominations was not approved until 2006. For the bill to be passed, religious

⁴³ Ionuț Corduneanu, op. cit., pp. 390.

⁴⁴ Lazăr Iacob defines the term as “the right of protection of the state and it means the recognition of the character of public right of the constitution of cults, where they are public corporations”.

⁴⁵ Law 195/2000, Available online at [http://www.cdep.ro/pls/legis/legis_pck.frame], last accessed on 26 May 2009.

⁴⁶ Patriciu Vlaicu, “The Principle of Autonomy in State-Religious Groups Relations” in *Libertate religioasa in context European*, p. 161. This is my translation.

institutions had to agree on a number of points that translated in the right of religious expression, the principle of autonomy and the principle of proportionality.

Radu Preda⁴⁷ raises the following question: Why are these principles not enough for the introduction of the Law of Religious denominations? His own answer compares the European model and the American one in the religious field. Generically, the European model bases itself on a two-level system consisting of religious associations and religious denominations. In other words, in order to become a religious denomination and leave the area of religious association, certain conditions have to be met, ranging from length of time since the formation of the association, number of members and can also evaluate the social impact. The quality of social partner proves valuable for the future relations between the state and the denominations. They will represent the foundation of constructive talks at the institutional level and will guarantee mutual understanding and cooperation. Unlike the European model presented, the American one is more trenchant. Here, the two-level system is not present and all religious associations are registered in Court. Even more, according to basic human rights, every individual becomes free to pertain to a certain confession in a self-professing way, making religion a pure personal choice. In this society the state is not obliged to provide financial retribution for denominations and leaves total freedom on the religious market.

In a different study, Preda identified the reason behind the failed adoption of the Law of Religious denominations by the Churches and minority confessions in the form of the future title offered to the Orthodox Church, that of “National Church”⁴⁸. The text was modified after common discussions between all confessions. Nevertheless, sixteen years passed before the

⁴⁷ Radu Preda, “Laicism or Religious State Politics. 5 Thesis and Some Considerations regarding the Draft of the Law of Cults” in Adrian Lemeni, Florin Frunza, Viorel Dima (eds.), *Libertate religioasa in context European*, [Religious freedom in European context], (Editura Bizantina, Bucuresti, 2005) p. 187-189.

⁴⁸ Radu Preda, op. cit., pp. 151.

present law was adopted in 2006; the debates resurfaced after sixteen of the eighteen denominations signed it.⁴⁹ The adoption of the bill was possible only after the Orthodox Church abandoned its initial pretensions. As Metropolitan of Cluj, Alba, Crişana and Maramureş, Bartolomeu Anania declared:

Through the decision of the Holy Synod of the Romanian Orthodox Church, we ask the authorities to restart the activation of this law. We are willing to give up on the use of National Church expression and the 0.5% in order to promulgate the respective law.⁵⁰

The Catholic Church referred to the law as “perfectible” but acknowledged that its implementation constitutes a good legislative initiative. In the same declaration, the Catholics sympathized with the Greek-Catholic Church which did not put its signature on the draft because no solution was reached in the issue of confiscated properties or the one regarding cemeteries.⁵¹ The neo-protestant denominations claim that the new law discriminates against minority confessions. They criticized the requirements that permitted a religious association to become a recognized religious denomination: the minimum number of followers has to be at least 0.1% of the population and be functioning for at least twelve years in Romania. If these prerequisites are not met, the associations will not receive the title of religious denominations and will not have access to resources, media or education in schools like the recognized confessions.

Nongovernmental organizations and other associations strongly disagreed with paragraph 2 of article 13: “Any form, means, act or action of religious defamation and antagonism, as well as

⁴⁹ Cornel Cadar, Noua Lege a cultelor trezeşte nemulţumiri [New Law of religious denominations raises discontentment], 15 January 2007, Available online at [<http://www.ercis.ro/actualitate/viata.asp?id=20070115>], last accessed on 26 May 2009.

⁵⁰ “Biserica Ortodoxă Română, gata să renunţe la sintagma “Biserica Naţională”” [Orthodox Church Ready to Give up on “National Church”], 4 November 2004, Available online at [<http://www.adevarul.ro/articole/2004/biserica-ortodoxa-romana-gata-sa-renunte-la-sintagma-biserica-nationala.html>], last accessed on 26 May 2009.

⁵¹ Cornel Cadar, op.cit.

public offending of religious symbols are forbidden in Romania.”⁵² Abuses of the freedom of expression could be possible under the present act and many organizations fighting to protect human rights have announced their intention to attack the law at the European Court of Human Rights.

Before jumping to any rash conclusions, I consider it useful to analyse the bill of the Law of Religious Denominations. The text was surrounded by controversy due to a series of factors. Firstly, a new denomination had to present the motives justifying the request of legal recognition, but the law did not specify the standard to differentiate between justified and unjustified motives. Secondly, it had to present a table with personal data on the adherents to the denomination and their signatures and their number had to be at least 0,5% of the total population at the last census. This particular requirement represented a flagrant violation of human rights. The right of free association and the freedom of religion would have been seriously undermined, without mentioning that vast majority of confessions in Romania would have not met the threshold. Thirdly, the new denomination had to present a creed, but there was no mention of the acceptable or unacceptable content, leaving it to the discretion of the legislative body. Fourthly, the presentation of the religious denomination also had to include a flow chart with the names of the leaders, the structure of leadership, the forms of the activity performed, the way in which the religious service will be performed, the means of financing and the way money would be spent. Leaving aside the fact that no criterion is set in place to evaluate the correctness of such activities, one could not overlook the invasion of privacy permitted by such a requirement.⁵³

The draft called for obtaining the final recognition of the denomination by the Government at the proposal of the State Secretariat on Religious problems. The President of Romania had to

⁵² Law 489/2006, Available online at [<http://www.cultura.ro/Files/GenericFiles/LegeaCultelor-Nr489-2006.pdf>], last accessed on 25 May 2009.

⁵³ Silviu E. Rogobete, *op. cit.*, pp. 128-129.

concomitantly recognize the leaders of the communities through a legal decree. The leaders needed to be Romanian citizens and all official correspondence had to be written in Romanian⁵⁴. The government was struggling with the proposed draft, because many institutions, religious and non-religious, did not find it fitting for a democracy, especially when the state had to align to other European states that have managed to accommodate their citizens and respect international human rights agreements.

Nevertheless, the Law 489/2006⁵⁵ regarding religious freedom and the general regime of religious denominations is a much improved version of the earlier draft. The new law marked a major departure from the treatment of religious confessions under the communist regime, the unfair Decree 177/1948 falling in abeyance. The most significant changes seen in the new law refer to the equal treatment of all religious denominations where there is no state religion and the state is neutral to any confession or atheist ideology⁵⁶. The new provisions do not interfere with the financial aspects of the denominations any longer. However, one of the most important changes has been the legally required number of adherents before a religious association can become a recognized religious denomination, 0,1% compared to 0,5% in the earlier draft⁵⁷. There are eighteen legally recognized denominations in Romania so far. The new law has not received general approval. To this day, there are voices suggesting that there is still work to be done in the religious freedom area and the text of the law can be developed to offer a more adequate setting for all the denominations at hand⁵⁸.

⁵⁴ Ibid., pp. 129.

⁵⁵ Law 489/2006.

⁵⁶ Ibid., Art. 9.

⁵⁷ Ibid., Art. 18.

⁵⁸ INTER Press release, Available online at [<http://www.rostonline.org/rost/ian-feb2007/legea-cultelor.shtml>], last accessed on 25 May 2009.

1.2 Church-State Relations in Romania after 1989

Romania was under communism for forty five years. The party policy was an atheistic one, but during this period, the Romanian Orthodox Church had advantages over the other religions. When certain confessions were taken outside the law, Orthodoxy was permitted to function and party leaders went as far as appearing in public next to priests and Church leaders. However it must not be generalized that Orthodox priests were all exempted from the harsh repressions felt by other confessions. Among Romanian Orthodoxy there were also priests that were accusing the country leaders for their activities and they received their punishment just like many others of different confessions. Paul Caravia⁵⁹ in his book, “The imprisoned church: Romania, 1944-1989” provides a listing of imprisoned priests during communism. His survey documents the fact that 1888 Orthodox priests were detained, 235 Greek-Catholic, 172 Roman-Catholic, 67 Protestant, 25 Neo-protestant, 23 Muslims and 13 Mosaics. The records do not pretend to hold the absolute numbers, but they make reference to the documented numbers available. The data shows Orthodox priests that did not conform were treated as such no matter their religious affiliation.

Some authors believe that Romanian Orthodox Church was allowed to continue performing its duties due to the strong links of the Church with the national history. The intertwined relation proved more powerful than the foreign communist doctrine.

Romania is a predominantly Orthodox country where 87.6%⁶⁰ of the population declares its affiliation to the confession. The opinion polls measuring the level of trust of the population in different institutions from 1990 till today are similar in one aspect. The Romanian Orthodox Church, and the army are always on top of the list. After the fall of communism society was at a

⁵⁹ Paul Caravia, Virgiliu Șt. Constantinescu and Flori Stănescu, *The imprisoned church: Romania, 1944-1989*, (Bucharest: Bucharest : The Romanian Academy : The National Institute for the Study of Totalitarianism, 1999), pp. 15.

⁶⁰ Romanian Population Census 2002, Population after religion-regions, counties and areas, Available online at [<http://www.recensamant.ro/pagini/tabele/t48.pdf>], last accessed 10 April 2009.

crossroad, but the new political elite that emerged, no matter how different their individual agendas were, all had one thing in common, appealing to Church leaders to gain support.

The Orthodox Church was under siege after 1989, being accused of collaboration with the communist regime. During the old regime, the Orthodox Church benefited from a privileged position in comparison to the other religious confessions. Decree 177/1948 sanctioned that the Orthodox Church would be allowed to have two higher education institutions working, while the Catholics and the Protestants had only one and there were specific articles dealing with its organization while this did not apply to others. Moreover, while there was no special status given to the Orthodox denomination in writing, the wording of the text tells a different story. Being under such scrutiny the Holy Synod announced on 18th January 1990 that the Patriarch Teoctist retired from his seat. Later on, in an interview with Alec Russell in *The Daily Telegraph*, it appeared that the announcement of retirement was made without his approval by the Synod.⁶¹ On the same day, 18th of January, the “Group of reflection and renewal in the Romanian Orthodox Church” emerged. Prominent members, such as Bartolomeu Anania, priest Galeriu, archimandrite Ilie Cleopa and priest Staniloaie proposed the election of a new Patriarch. The group’s alleged interest was to make a clean start in the Orthodox Church after the communist period. Nonetheless, after 112 days Teoctist was recalled at the leadership of the Patriarchy in April 1990.⁶²

The Church continued to be the focus of accusations and its official statement has been “compromises for sacraments”.⁶³ High faces have declared “God permitted communism so that it

⁶¹ România Liberă, “Cumpăna Patriarhului” [Patriarch’s crossroads], 2 August 2007, Available online at [<http://www.romanialibera.ro/a102585/cumpana-patriarhului.html>], last accessed on 11 May 2009.

⁶² Ibid.

⁶³ Dan Dungaciu, “Alternative Modernities in Europe. Modernity, Religion and Secularization in South Eastern Europe: the Romanian case”, Working paper no. 68, Max Planck Institute for Social Anthropology. Working papers, 2004, pp. 15.

could be conquered by faith”.⁶⁴ All in all, members of the Church have tried to put to rest discussions about alleged collaborationism with the communist party and return to their pastoral duties.

1.3 Measuring trust in Romania and other Central Eastern European countries

According to opinion polls from the 1990's, EVS, WVS and BOP, in 1993 the number of Romanians attending Church at least once a month was between 40% and 50% of the population. This was a big change compared to the former period, when people did not admit to it because of fear of persecution. If when it comes to public practice of religion, Romania was not at the top, in the private practice it was situated in 2000 after Malta and Poland, with 76% of the population praying at least once a week. The country went through a religious revival ten years after the revolution, especially among the young generations, figures showing that people born after 1975 pray more in private than their peers in other European countries.

In a study⁶⁵ published in 2002, Romania scored highest in the lowest social trust and in political trust while economically it had better hopes. The same study placed Estonia, Belarus, Russia and Ukraine in the first places when it comes to social trust and political trust, while Poland, Slovakia, Bulgaria, Lithuania, Czech Republic and Hungary were in the middle. “Citizens in Central and Eastern Europe have good reason to distrust political and social institutions.”⁶⁶ The reason for their untrusting behaviour in institutions lies in the influence of

⁶⁴ Tom Gallagher, *Theft of a nation*, (London: Hurst & Company, 2005), pp. 66.

⁶⁵ Natalia Letki and Geoffrey Evans, “Social trust and responses to political and economic transformation in East-Central Europe”, Nuffield College Politics Working Paper 2002-W9 , (Oxford: Nuffield College, 2002), pp. 21-22.

⁶⁶ William Mishler and Richard Rose , “Trust, Distrust and Skepticism: Popular Evaluations of Civil and Political Institutions in Post- Communist Societies”, *The Journal of Politics*, Vol. 59, No. 2 (May, 1997), pp. 419.

communism, an ideology that “atomized society and crushed civil society whenever possible.”⁶⁷

And can this be the reason for which Romanians and other neighbours decided to trust the Church?

Why do Romanians place such high trust⁶⁸ in the Romanian Orthodox Church after the fall of communism? I intend to give four examples in the next chapters that will help analyze this process from different angles. But first let us look at a series of basic facts. According to the European Values Survey in the first decade after the fall of communism Romania distinguished itself from the other European states with its revived religiosity.⁶⁹ The level of religiosity was highest in countries like Malta, Romania, Poland and Ireland. But of all the states considered by the survey, Romania registered the highest jump in the sphere of religious practice compared to the pre-1990 period. Other countries following closely in its footsteps were Bulgaria, Slovakia and Latvia. However, Romania is the only Orthodox country where this trend was noticed. Why these events happened here and not in other European states?

During these years the Church was also confronted with problems and scandals. The four case studies are excellent examples to highlight the range of issues dealt with by the Orthodox Church, but they are not singular. Among other examples, the Tanacu case was hugely mediatised, telling the story of a priest and a group of nuns that have killed another nun in the process of exorcism,⁷⁰ or cases of priests asking for sexual favours from their congregation,⁷¹ or the more recent case of the biometrical passports that contain the “Devil’s number”.⁷²

⁶⁷ Gabriel Bădescu, Paul Sum and Eric M. Uslaner, “Civil Society Development and Democratic Values in Romania and Moldova”, *East European Politics and Societies*, Vol. 18, No. 2, 2004, pp.320.

⁶⁸ I should clarify that by trust in the Church I advert to the trust in the institution as such in relation to other institutions in Romanian society.

⁶⁹ Religiosity is measured by the answer to the question “Do you believe in God?” just as Voicu and Sandu use it in their studies.

⁷⁰ Jurnalul Național, “Mănăstirea Tanacu - Preotul și măicuțele, în arest pentru 24 de ore” [Tanacu Monastery – Priest and Nuns in Arrest for 24 Hours], 22 June 2005, Available online at [<http://www.jurnalul.ro/stire->

I believe the main reason for the trust in Church in Romania is its use of nationalism as a form of gathering support from the population. If the church would only rely on the support of Orthodox population, as large as this would be, it would not constitute a generally unifying factor. By bringing into discussion the national factor, the Orthodox Church finds a way to transcend religion and stand for something more, for the entire nation. Linked to the nation, the Church solidifies its position and becomes stronger and fitter to face secularization. Unlike the other religious denominations, Orthodoxy has the historical advantage. In 1864, following the union of the principalities, the Church declared its autocephaly, which was internationally recognized only after the independence war of 1877-1878.⁷³

Scholars like Ștefoi reinforce the important connection between the Romanian state and the Orthodox Church by admitting that “The nation-state, national sovereignty and nationalism are concepts connected first of all to the Orthodox Church in Romania, whose objectives have overlapped the identity discourse.”⁷⁴ Mircea Păcurariu notes that national sovereignty “has become the principle and the guarantee of independence for the Romanian Orthodox Church.”⁷⁵ Dumitru Sandu underlines the importance of this link in his research and claims that traditional institutions, such as the Church, have different factors at work to influence trust. Among these factors one finds “historical experience, the role such institutions played in the life of the respective society” and “the social need of stability, of identifying certain durable frameworks, in

observator/manastirea-tanacu-preotul-si-maicutele-in-arest-pentru-24-de-ore-42419.html], last accessed on 31 May 2009.

⁷¹ Libertatea online, “Starețul acuzat de hărțuire sexuală a fost destituit” [Abbey Accused of Sexual Harassment has been destitute] , 7 November 2001, Available online at [<http://www.libertatea.ro/stire/staretul-acuzat-de-hartuire-sexuala-a-fost-destituit-6479.html>], last accessed on 31 May 2009.

⁷² Cotidianul, “Numărul Fiarei în pașaportul biometric: preoții râd, senatorii se sperie” [The Number of the Devil in the Biometrical Passport: Priests Laugh, Senators are Afraid], 25 February 2009, Available online at [http://www.cotidianul.ro/numarul_fiarei_in_pasaportul_biometric_preotii_rad_senatorii_se_sperie-74697.html], last accessed on 31 May 2009.

⁷³ Elena Ștefoi, op. cit., pp. 189.

⁷⁴ Ibid., pp. 189. This is my translation.

⁷⁵ Mircea Păcurariu in Elena Ștefoi, op. cit., pp. 189. This is my translation.

the conditions in which the representative institutions prove to still be fragile with high fluctuations of performance.”⁷⁶ Both features fit the present case. The Orthodox Church, its close affiliation to the nation and the Romanian state are continuously stressed by church leaders starting with the apostolic heritage of Saint Andrew, who came to Christianize the peoples of the old Scythia Minor⁷⁷, the south eastern part of Romania today, in the 1st century AD. Institutional stability is also supplied by the Orthodox Church. No considerable change in its organization occurred in the past twenty years, except for the election of a new patriarch after the death of Teoctist in 2007. Transition towards democracy in Romania was quite a long process and some would say it is ongoing, but the Church remains a stable alternative to the regularly changing central authorities and the values promoted do not change according to political agendas.

The study of Voicu⁷⁸ investigates the factors responsible for the high degree of religiosity of Romanians. She finds out that the level of religiosity of a population depends on the degree of religious pluralism and the education level. The explanation for the Romanian religiosity is to be found, according to Voicu, in the religious monopoly of the Romanian Orthodox Church and the low level of tertiary education compared to European states. In the same situation are to be found Malta and Poland. The same author argues that religious revitalization was the effect of the harsh economic situation of Romania during the transition years, measured by the decrease in the Gross Domestic Product.⁷⁹ According to this theory, the population felt the economic instability and resorted to a greater authority, the Church, which offers an organized structure and stability and ultimately offers hope for a better future.

⁷⁶ Dumitru Sandu, *The Social Space of Transition. A Sociological Approach on Romania*, (Bucharest: Polirom, 2002), pp. 77.

⁷⁷ Mitu, Sorin, *National identity of Romanians in Transylvania*, (New York: CEU Press, 2001), pp. 249

⁷⁸ Malina Voicu, op. cit., pp. 87-94.

⁷⁹ Ibid., p. 94-95.

Enquiring about the religious values and their influence in practice, Voicu resumes that Romanians are influenced in their public and private life by religious values.⁸⁰ Unlike similar countries in Europe, in Romania religious values do not influence only domestic relations between genders, but go further and influence mentalities towards work and political life. Compared to countries in Central Easter Europe, Romania is the least secularized and religion occupies an important position for the population.

Political institution in Romania had a hard time securing the trust of the population because in transition, in moments of economical instability, the leaders are blamed for the problems. The Church benefited from this situation and attracted the highest amount of votes in the trust area because it represents a stable institution, unaffected by political changes.

Between urban and rural environments, the villages are more trusting of the institution of the Church, but priests and pastors are less trusted compared to the institution. Gender influences the balance, women being more prone to offer their confidence in the institution compared to men. Considering age, old persons are more trustful of priests but it does not necessarily translate to the Church. Material prosperity influences as well institutional trust, poor people being more inclined to trust the church compared to wealthy persons. Education, as noted by Voicu and reinforced by Sandu plays a significant part, more educated people being less susceptible to place their trust in the Church.⁸¹

The first chapter introduced essential historical information for the reader to understand the current position of the Orthodox Church in Romania. Crucial for this venture was clarifying the historical links of Orthodoxy and nation-building. An analysis of the post-communist period was likewise necessary to present the current Church-State relations in Romania, their legal

⁸⁰ Ibid., p. 97-116.

⁸¹ Dumitru Sandu, op. cit., pp. 169-170.

foundation and debates surrounding them. A systematized review of notions on institutional trust, trust in the Church and the factors influencing this trust will greatly aid the study. The foreground being now in place it will help develop my argument and provide the elementary base for the future four case studies developed in the following two chapters.

Chapter 2

Case studies where the trust in the Church was weakened

Motto

“The Church has weight in public opinion, but it must not abuse its power to determine and obligate the conscience of its believers.”⁸²

This chapter focuses on the analysis of several case studies in order to demonstrate the argument presented in chapter one, namely that the appeal to nationalistic discourse is a useful tool of the Romanian Orthodox Church, providing public support for its actions. I will start with two case studies where the Church did not manage to secure support, the involvement of clergymen in politics and the property restitution towards the Greek-Catholic Church. I am investigating why results were below Church expectations.

2.1 The involvement of clergymen in politics

2.1.1 Clergymen and politics in post communism

In *Religion and Politics in Post-Communist Romania*, Lavinia Stan and Lucian Turcescu investigate the area of political involvement of clergy in politics. From the first elections in 1990 till the last in 2004, Romanian political elites profited from its close association to the Orthodox Church at public events and even during their electoral campaigns. Because of the large number of Orthodox citizens, the electoral power that can be drawn from its ranks is substantial in comparison with the other confessions. The two authors argue that although the Holy Synod

⁸² Ion Bria, op. cit., pp. 23. This is my translation.

forbade its clergy to run for elections or get involve politically, most of them did started right after 1989, when the Church was confronted internally with the fight between reformists and conservatives and externally had to regain its place by denouncing communism⁸³.

In January 1990, the Synod prohibited priests to get involved in “any form of political partisanship” and if they were already involved politically and occupied administrative positions, they could not receive their salary from the Church at the same time.⁸⁴ The jobs they handled could only be performed by turns. Decision 1066/1996 stated “bishops, priests and deacons, as fatherly confessors of all believers, will abstain from running in elections to become deputies or senators.”⁸⁵ However, the decision of the Synod was not reinforced but rather remained a recommendation. Despite the principle of “canonical neutrality” introduced in 1996 priests continued to support parties and run for elections and Stan and Turcescu present significant examples to showcase it. In 2000, another electoral year, the Patriarchy decided to let clergymen run for local offices in state administration or to become members of parliament.⁸⁶

Constitutionally, churches are free to decide if their members can run in elections as priests are not among the functionaries prohibited to enrol in political parties⁸⁷. In 2004, however, the Patriarchy made it very clear that clergyman:

*are prohibited to make politics, to be members of political parties, to participate in electoral campaigns, to run for and become members of parliament or local councils, mayor, vice mayor or to occupy functions in the central and local public administration.*⁸⁸

⁸³ Lavinia Stan, Lucian Turcescu, op. cit., pp. 122.

⁸⁴ Lucian Turcescu, Lavinia Stan, “Religion, Parties and Elections in Post Communist Romania” in *The Sphere of Politics* (Sfera Politicii), issue: 123-124 /2006, pp. 31.

⁸⁵ Evenimentul Zilei, “Preoții-politicieni, afară din Biserică!” [Priests-Politicians, Get Out of Politics!], 13 February 2004, Available online at [<http://www.evz.ro/articole/detalii-articol/641735/Preotii-politicieni-afara-din-Biserica/>], last accessed on 31 May 2009. This is my translation.

⁸⁶ Radu Preda, “Biserica și politica. Un nou experiment” [Church and Politics. A New Experiment], 13 March 2008, Available online at [<http://www.hotnews.ro/stiri-opinii-2570851-biserica-politica-nou-experiment.htm>], last accessed on 31 May 2009.

⁸⁷ Romania’s Constitution of 2003, Art. 40(3), Available online at [http://legislatie.resurse-pentru-democratie.org/const_2003.php], last accessed on 10 April 2009.

In other words priests were asked to choose between politics and priesthood and they were given a ten-day ultimatum.

In 2004 the leadership of the Orthodox Church was split in two camps, one backing the political involvement of priests and another one regarding it incompatible with the duties of a priest. The initiative of non-involvement came from Bartolomeu Anania. The wide-spread number of cases of clergymen politically active was estimated at a couple of hundreds from 15.000 priests in total⁸⁹. When the decision was made in favour of non involvement, vociferous complaints came from the Social Democrat Party and the Greater Romania Party. The first party is considered to be made up of former communist leaders and the latter can be categorized as extreme right wing party.

Historian and political analyst Zoe Petre pointed out at the time that State and Church are two separate institutions that should stay separate and fulfil their distinct roles:

The state must be the expression of plurality, while the church is a very important institution of civil society. That's why I believe that a more precise delimitation between the power and the structures belonging to the civil society in general is much more favourable to good understanding. Think about it. We say 'the church,' but which one of them? In Romania [and other countries], there are many religious confessions. Are we referring to all of them? Some of them yes and others not? Like in politics or in any other field, a majority does not mean totality.⁹⁰

She also added: "If a priest -- whether an Orthodox, Catholic, or Reformed -- does not officially join a political party, but lends his moral authority and his influence to a party, which is almost worse."⁹¹ Petre most likely meant to say that priests would diminish their influence in the community if they chose to join a particular party, because members of the congregation would reject them if they do not agree with the political agenda of that particular group. However, if the

⁸⁸ Decision 410/2004 of the Holy Synod, available online at [<http://www.crestinortodox.ro/ziarul-lumina/78539-ultimele-hotarari-ale-sfantului-sinod>], last accessed on 10 April 2009. This is my translation.

⁸⁹ Lucian Turcescu, Lavinia Stan, "Religion, Parties and Elections in Post Communist Romania", pp. 31.

⁹⁰ Zoe Petre in "Eastern Europe: Orthodox Church Still Wields Political Clout", Radio Free Europe Radio Liberty, Available online at [<http://www.rferl.org/content/article/1051603.html>], last accessed on 25 May 2009.

⁹¹ Ibid.

priests prefer to opt for not joining the party and instead use their status to influence the community towards supporting a party, the situation is highly condemnable because church representatives would be appealing to manipulation in order to achieve their political goals. Such behaviour would not be considered appropriate or acceptable for Church agents.

2.1.2 Church legislation change of 2008 and its reverberations in the media

However, the Synod's 2008 resolution re-evaluated the proposal and decided that priests can hold political functions if they run as independent candidates in local elections and receive the permission of their superior.⁹² The reasons for changing their minds was made public, "the decision will only be standing until well prepared Orthodox laymen will be found to represent the interests of local communities."⁹³

The rationality behind the Patriarchy's approval of limited political involvement was put forward by Constantin Stoica, the spokesman of the Orthodox Patriarchy as follows:

The majority of recognized cults in our country agree with the candidacy of the servant personnel for local councils. Taking as example Transylvania, where in local and general councils, especially at this point, representatives of the protestant cults and neoprotestant and so far there is no information that this participation of the representatives of these respective cults in local or county councils brought any prejudices to the particular cult or the local community represented.⁹⁴

The explanation is not self sufficient. It may seem the Patriarchy takes steps to prevent losing ground to other denominations that are already politically involved at present. But the decision comes to contradict that statement. Although priests can run in elections as independent

⁹² Evenimentul Zilei, "Cu sau fără preoți în politică?" [With or without priests in politics?], 8 March 2008, Available online at [<http://www.evz.ro/articole/detalii-articol/794763/EDITORIALUL-EVZ-Cu-sau-fara-preoti-in-politica/>], last accessed on 12 March 2009.

⁹³ Adevarul, "Vor salva preoții clasa politică de păcate?" [Will priests save from sins the political class?], 12 March 2008, Available online at [<http://www.adevarul.ro/articole/2008/vor-salva-preotii-clasa-politica-de-pacate.html>], last accessed on 13 April 2009. This is my translation.

⁹⁴ HotNews.ro, "Patapievici: Îmi displace profund să văd preoții în lupta politică" [Patapievici: I deeply dislike seeing priests in the political fight], 16 March 2008, Available online at [<http://www.hotnews.ro/stiri-politic-2587538-patapievici-imi-displace-profund-vad-preotii-lupta-politica.htm>], last accessed on 26 May 2009. This is my translation.

candidates and only for local councils, they are restricted from affiliation to any party and political leaders are asked not to approach priests for political agendas:

In the same time, the Holy Sinod makes a warm appeal towards political party leaders from Romania to reject recruiting clergy members or the use for political purposes the persons, spaces, sermons and church symbols. The Holy Synod reassures them that the Church – maintaining its equidistance from parties – will continue to get involved in the general politics of the country, contributing – through specific measures – to protecting democracy, liberty, faith in God, independence and the integrity of the country, rejecting any form of atheist communist totalitarianism, together with any form of extremism.⁹⁵

The Synod's decision excludes the possibility of priests becoming more involved politically at a later stage. The Patriarchy does not envisage clergymen in high state positions and will prohibit any such activities in due time. These declarations did not go unnoticed. Romanian intellectuals like Horia Roman Patapievici and Preda both made connections between the Orthodox Church's decision and its mechanism of coping with modernity. Patapievici wonders if the Church should get involved politically in the first place, although other cults allow the same practice. Preda acknowledges that Romanians are not ready to links priests with politics, because we have to first get used to democracy and refrain from switching from one extreme to the other.⁹⁶

The decision is far from uncontroversial, given the financing of campaigns and the double subordination towards hierarchs and party leaders. Preda indicates the rapport between the spiritual authority and worldly authority becomes much clouded in stead of clarifying itself.⁹⁷

Bartolomeu Anania, the initiator of the non involvement clause in 2004 kept his earlier position and advised the clergy to refrain from political involvement in state institutions to help

⁹⁵ Decision 410/2008 from 6 March in "Sf. Sinod al BOR a anunțat condițiile în care preoții pot candida la alegerile locale" [The Holy Synod announced the conditions under which priests can run in local elections], 7 March 2008, Available online at

[http://www.ziare.com/Sf_Sinod_al_BOR_a_anuntat_conditiile_in_care_preotii_pot_candida_la_aleg-259985.html], last accessed on 26 May 2009. This is my translation.

⁹⁶ HotNews.ro, op. cit.,

⁹⁷ Ibid.

“protect the spiritual nobility title demanded by sacerdotal uniforms”.⁹⁸ Protection against ill suited clergymen in political functions is also foreseen by the Metropolitan. He threatens that the superior of the priest active in a political post can withdraw its approval if the priest’s activities would be considered harmful and unproductive. Resignation would also be expected in these conditions. From his discourse on separating priesthood and politics, one trait is distinctive, the importance of civil support. Anania considers civil support to be decisive for assessing clergymen at work. If the priests running for councils will not be elected, that will signify that society condemns the practice and hopefully will help guide future actions.⁹⁹

The decisions of Orthodox Patriarchy in the last twenty years regarding the involvement of clergymen in politics denote confusion and instability. The institution of the Church, at least the Orthodox one, has a hard time adapting to the changes brought about by democracy, capitalism, modernity. Proclaiming neutrality, switching to partial involvement, continuing with total restriction from political affiliation and the final decision of involvement characterize an institution trying to find its place in twenty first century Romania. The future of the Church lies in how well it will redefine its role and the test of political involvement will guide future actions and possible demands. The late patriarch initiated a project in early 1990 asking that “the patriarch, metropolitans and archbishops of the Orthodox Church to be senators for life.”¹⁰⁰

According to media debates the population is not happy with the constant changing of position of the Church.¹⁰¹ As I have explained in the previous chapter, the Church was the

⁹⁸ Gândul, “Mitropolitul Clujului le recomandă preoților să nu candideze” [Metropolitan of Cluj recommends priests to not run in elections] , 13 March 2008, Available online at [<http://www.gandul.info/societatea/mitropolitul-clujului-le-recomanda-preotilor-sa-nu-candideze.html?3932;2451437>], last accessed on 25 May 2009. This is my translation.

⁹⁹ Ibid.

¹⁰⁰ Elena Stefoi, op. cit., pp. 163-164. This is my translation.

¹⁰¹ “De ce nu trebuie sa intre preotii in politica?” [Why priests shouldn’t go into politics], 10 March 2008, Available online at [http://www.ziare.com/De_ce_nu_trebuie_sa_intre_preotii_in_politici-261784.html], last accessed on 31 May 2009.

institution credited with stability and trusted more than others due to its unequivocal position. Direct immixture in politics might not be the wisest choice. For an institution that gathers roughly 80% of the population's trust in annual opinion polls to get entangled in politics, where representative state intuitions occupy the least percentages, ca actually be damaging for the Orthodox Church. It depends on how well the clerics will understand to perform their duties in local administration and how will the population sanction it. Nonetheless, critical evaluations will be in order after the current mandate, at the 2012 local elections.

2.2 Property restitution towards the Greek-Catholic Church

2.2.1 Historical background of the Greek-Catholic property restitution

Olivier Gillet¹⁰² argued that the position of the Orthodox Church was in danger when the Greek-Catholic Church regained its legal status in Romania. By providing a huge number of interviews from famous clergymen of the two sides, he constructs a strong argument according to which the “Uniate” problem has deep implications connected to “the unity of the Romanian state, of the union of Transylvania with the rest of the country, in other words, of the intangibility of present borders”¹⁰³. The 1923 Constitution recognized the two churches to be national churches, the Orthodox being dominant due to the number of believers, while the Greek-Catholic was placed before the other religious denominations.

During communism, the Romanian state banned the “sister church” and confiscated 2500 churches that belonged to the Uniate Church (Greek Catholic Church)¹⁰⁴. After the fall of the

¹⁰² Olivier Gillet, op. cit., pp. 241-245.

¹⁰³ Ibid., pp. 242. This is my translation.

¹⁰⁴ Cezar Vasiliu, “De la “anatemă” la “biserica-soră”. Ortodocși și catolici în căutarea unității” [From the “anathem” to “sister-church”. Orthodox and Catholics in the search for unity], 2001, Available online at [http://www.crestinism-ortodox.ro/html/11/11h_ortodocsi_si_catolici_in_cautarea_unitatii.html], last accessed on 13 May 2009.

communist regime, the Greek Catholic Church was revived. Decree 126/1990¹⁰⁵ stipulated that the assets taken by the state through decree 358/1948 were restituted to their rightful owners in their present condition. While article 3 establishes a common commission to mediate the restitution of properties from the Orthodox Church to the Greek-Catholic. Law 501/2002 reiterates the restitution of properties confiscated during communism. The National Authority for the Restitution of Properties began its work in 2005 and until January 2006, 6723 requests from the Greek-Catholic denomination were registered from which 669 were solved by December 2007.¹⁰⁶ The process of implementation remains extremely slow because the files registered and asking for properties are usually incomplete and the majority of buildings are used by local authorities which have no interest to speed up the process.¹⁰⁷

In 1998 the government created a Common Orthodox-Greek-Catholic Committee to deal with the problem and it has annual meetings ever since. In only three years the Committee met five times (Bucharest in 1998, Blaj in 1999, Râmneș Monastery in Alba county in 1999, Oradea 1999 and Brâncoveanu Monastery in Sâmbăta de Sus in 2000), which is a statement of involvement and cooperation. In his book, *Biserica Ortodoxa Romana intre 1885-2000*, Alexandru Moraru points out that the reason for the difficult relations between the two confessions lies in the “pretensions of the Greek-Catholics for *restitutio in integrum*”¹⁰⁸. Meanwhile, he portrays the Orthodox conviction that the resolution of this problem “must be solved through dialogue and understanding and not by appealing to juridical actions; we still hope that through dialogue we will reach cooperation, social peace and bringing closer the two

¹⁰⁵ Decree 126/1990, 24 April 1990, Available online at [http://www.cdep.ro/pls/legis/legis_pck.http_act_text?idt=11179], last accessed on 31 May 2009.

¹⁰⁶ “Raport de activitate ANRP” [Activity report of ANRP], 2007, pp. 14-15, Available online at [http://www.anrp.gov.ro/files/Raport/Raport%20de%20activitate%20ANRP%202007.pdf], last accessed on 31 May 2009.

¹⁰⁷ Marian Chiriac, op. cit., pp. 20-21.

¹⁰⁸ Alexandru Moraru, *Biserica Ortodoxa Romana intre 1885-2000*, Vol. 3, Tom 2, (Bucharest: Editura Institutului Biblic și de Misiune al Bisericii Ortodoxe Române, 2006), pp. 353. This is my translation.

sister Churches”¹⁰⁹. Such declarations illustrate the desire of the Orthodox Church to solve the problem without contacting state institutions because the chances of an escalation in the media could be very harmful for the Orthodox image. The worst case scenario materialized in practice and the Orthodox Church received serious image blows after its unwillingness to accommodate the sister Church’s demands.

After the Greek-Catholic Church has redeemed its legal position, many intellectuals attacked the leaders of the Orthodox Church, accusing them of collaboration with the communists, and claimed the properties nationalized in 1948. The group includes Anton Moisin, who has written numerous books on the history of Greek-Catholics and does not shy away from accusative remarks and allegations¹¹⁰. In “Mărturiile prigoanei contra Bisericii Române Unite cu Roma Greco-Catolice între 1990-1995”, Mr. Moisin brings arguments in the form of letters from Greek-Catholic priests that complain about the way in which the census of 1992 was conducted¹¹¹. The contesters provide information about the censors and explain the mechanism used, the one equating Romanians to Orthodoxy. The census practices were accused of inducing the population in error and pressuring them to declare themselves Orthodox, what translates into Romanian by comparison to Greek-Catholic, which translates into Hungarian.

I believe one great difference rests at the base of the present Orthodox-Greek-Catholic conflict. The two camps look at the same facts from two diametrically opposed points of view. The Orthodox leaders promoted in their discourse the return of the Greek-Catholic brothers to the mother Church and 1700 constitutes the saddening breaking point or the victory of the Habsburgs to disunite the Romanian nation. On their own turn, the Greek-Catholics bear in mind

¹⁰⁹ Ibid., pp. 353. This is my translation.

¹¹⁰ Anton Moisin, *Biserica Ortodoxă Română-Biserica Națională?* [The Romanian Orthodox Church-National Church?], (Sibiu: Imago, 1999).

¹¹¹ Anton Moisin, op. cit., pp. 197-206.

the same year, 1700, as the moment of rejoining their mother Church, the Catholic Church after centuries of Byzantine influence.

The problem is fraught because the religions receive help (money and other resources) from the state accordingly to the number of members.

(...) in its litigation with the Greek-Catholic Church, the Orthodox leadership rejected any legislative intervention of the state and it opposed the Greek-Catholic campaign of retrocession to a populist Orthodoxy with powerful nationalist and anti-democratic accents.¹¹²

Even when the state forced the Orthodoxy to restitute the proprieties by Supreme Court's resolution, nothing happened and the church wasn't juridical prosecuted. Although a small number of churches have been regained and they were allowed to build others, one of the problems consists in the influential role of the Orthodox Church even upon the commission that has to give permission for constructing worshipping places. The issue is important as it has nationalistic implications. Wanting to regain its lost legitimacy, the Romanian Orthodox Church was quick to get politically involved after the 1989 Revolution, although before every election the head of the church instructed its priests to be politically neutral. The nationalist leaders, like the former mayor of Cluj-Napoca, Gheorghe Funar and the head of the Greater Romania Party,

Corneliu Vadim Tudor fully embraced the initiative, thinking to gain more power and authority. They depicted themselves as the followers of the Orthodoxist school of ideas from the inter-war period that stated "We are Orthodox because we are Romanians and we are Romanians because we are Orthodox."¹¹³

¹¹² Constantin Iordachi, "Ortodocși împotriva greco-catolicilor" [Orthodox against Greek-Catholics], in *Sfera Politicii*, nr. 82/2000, pp. 16.

¹¹³ Ionescu, Nae in Constantin Iordachi, *Politics and Inter-Confessional Strife in post-1989 Romania. From Competition for Resources to Redefining National Ideology*, The 1st Annual Kokkalis Graduate Student Workshop: New Approaches to Southeast Europe at the Minda de Gunzburg Center for European Studies, 1999, p. 201.

2.2.2 Greek-Catholic and Orthodox Church to find a solution for the restitution issue

The restitution problem was by large resolved. The Uniates say they do not want to create problems for the orthodox community and they only require Episcopal cathedrals, protopopial churches and parochial ones in the districts where the orthodox have more worshipping buildings. They agree that where there is only a single church, negotiations are needed for alternating the two masses (there are 191.556 members of the Greek Catholic Church-census 2002¹¹⁴, but they estimated to be around 790.000).

Professor Ion Bria finds the legitimacy of the annulment of the Uniate Church as being “the rationality of all Romanians being together” and “to cure the persecution against the orthodox during the Horthyist occupation of Transylvania (1940-1944), that Uniates apparently associated with (the Episcopacy of Hajdudorog)”¹¹⁵. If we are to consider such declarations, the current position of the Romanian Orthodox Church becomes logical and the debate surrounding the restitution assets is the natural effect.

Another opinion on the Church-State relations places the Church in the position of recuperating its possessions in order to gain its autonomy from the enemy state.¹¹⁶ This interpretation comes on the background of the Cesaro Papism thesis, subordinating the Church to the State. In this interpretation, the Romanian Orthodox Church, gaining its autonomy after 1989, should not be hold responsible for the properties granted to it by the Communist party. Nevertheless, after some years of heated debates in the early 1990's, the two churches managed to reach some common ground, by participating in the Mixt Commission on property restitution, that deals with the modes and means to solve the issue peacefully.

¹¹⁴ National Institute of Statistics-Romania , Census 2002.

¹¹⁵ Ion Bria, op. cit., pp. 12. This is my translation.

¹¹⁶ Teodor Baconski, “Decadența etatismului și renașterea ortodoxă” [Decay of etatism and the orthodox rebirth] , Dilema, nr. 211, February 1997, pp. 11.

Needless to say that the process of restitution creates a long list of problems due to lack of relevant documents, noncooperation of current holders of the properties, lack of personnel in the local administration and the complexity of the issues that require most of the time technical expertise.¹¹⁷ Because of all these factors results are not quick to appear. Most of the population is not even aware of the problems confronted by other religious denominations. However, the case of the Uniate Church is by far the most mediatised compared to other religions and is surrounded by controversy. Religious freedom is guaranteed in Romania and access to places of worship bears crucial importance for allowing unobstructed practice. In these conditions, normatively, the situation must be solved to the benefit of the requestors and any interference from outside actors, like the Orthodox Church, is regarded to be suspicious in the least. The behaviour of the Orthodox leaders, who postponed their dialogue in the 1990's and refused to obey Supreme Court's decision to begin the process of restitution discredits the institution and portrays it in negative terms.

The two cases presented in the current chapter have at least one thing in common; they both undermined the status of the Romanian Orthodox Church. Newspaper articles already consign the lack of appreciation of the society for the politician priest and authorities in the field of theology like Preda and Carp voice their concerns regarding the Synod's last decisions. Most of the attacks refer to the communist period when the Church was subordinate to the state and priests accused of collaboration in the form of providing personal information obtained in the sacrament of confession. Whether this suspicion is founded or not it does have the power to influence the public one way or the other. It may be too soon to assess the extent of influence on Romanian population; however, the vast majority of articles blame the 2008 decision of the

¹¹⁷ Activity report of ANRP, 2007, pp. 17.

Patriarchy. The same vote of blame is seen in the second case dealing with property restitution. It is true that the visibility of the discussions surrounding it was not as high in the earlier example. This happens because less than 1% of the population identifies with the Greek-Catholic denomination. But the ongoing dialogue between the Orthodox leaders and the Uniates underlines the significance of this “battle”. The importance of this case study does not rest in figures and numbers, but in the symbol of this dispute. Two rival institutions battle for power. The Orthodox want to maintain their dominant position and this would be shaken if the Greek-Catholics would regain their properties. The old clash between the two would resurface violently and with it national identity would stop being only an Orthodox claim.

Chapter 3

Case studies where the trust in the Church was reinforced

Motto

“The Church is an institution that follows always the well-being of the nation.”¹¹⁸

The activities of the Orthodox Church are not always without controversy. We have seen in the previous chapter two examples where public opinion did not follow that of the institution and discussions contesting the validity of these acts became heard. Nevertheless, most of the times, the Church can secure public opinion support to its benefit. Chapter 3 explores two such cases, the property restitution of Emanuil Gojdu to the Gojdu Foundation and the construction of the Orthodox Cathedral “Mântuirea Neamului” in Bucharest.

3.1 Emanuil Gojdu property restitution case

The historical relations between Hungary and Romania have always been complex, and at times even dramatic. The different turns on the political arena have sometimes brought the two countries to animosities instead of friendship. In the restitution of Emanuil Gojdu’s property, national feelings have been stirred and the focus shifted on the interstate Romanian - Hungarian relations.

The topic proves interesting due to the lack of research in this area, especially after the transformations brought about by the 1989 regime change. In the last twenty years there has been

¹¹⁸ Olivier Gillet, op. cit., pp. 10. This is my translation.

a revival of the property restitution process in the Gojdu case and I follow and analyze the official discursive level from the last years of the Romanian Orthodox Church.

3.1.1 Emanuil Gojdu and his testament

Emanuil Gojdu was born in 1802 in Oradea to a merchant father Atanasie Popovici Gojdu and mother Ana (born Poinar). The historians traced his ancestors to Romanians from Macedonia, with the originating town of Moscopole, situated in today's southern Albania. Due to the difficult living conditions (constant Turkish attacks) Romanian families from Macedonia sought shelter in Poland at first. Because of the political situation in Central Europe, they later became inhabitants of Budapest, Vác, Esztergom, Szentendre, Miskolc, Kecskemet, Oradea, Arad and Timisoara. Some of these refuges played an important role in the religious, cultural and especially political life of their new communities, starting with Mocioni, Sima, Dumba, Grabovsky, Șaguna, Loanovici, Naco, Cazacovici, Manu, Muciu, Stupa, Sunda and Gojdu.¹¹⁹

Emanuil Gojdu studied law in Oradea and Pojon (modern Bratislava). In 1824 he became a lawyer, working in Budapest. He also got introduced to the literary circle of young Romanians studying and working in Budapest, made up of Petru Maior, Samuil Micu Clain, Damaschin Bojmca, Ștefan R. Neagoie, Teodor Aaron, Eftimie Murgu, Partenie Cosma, Zaharia Carcalechi. Gojdu developed a close friendship with Andrei Șaguna, who was later to become the metropolitan of Transylvania. As a lawyer he was famous for his pleas and he was the first to start using Hungarian instead of Latin in the actions brought to court in Buda and Pest.

¹¹⁹ Gojdu Foundation, "A Romanian Humanist the great Maecenas Emanuil Gojdu (1802-1870)", Available online at [http://www.fundatiagojdu.ro/index_eng.html], last accessed on 6 January 2009.

Because of his success he was well off and started to buy properties in Budapest, especially in Kiraly Street that now make up for the Gojdu passageway (Gojdu-udvar). Partenie Cosma wrote about his life:

He was proud of his Romanian Orthodox origin, of his being a man from the people (not an aristocrat), and, whenever he had the opportunity, he would show it both with his words and with his deeds...In his house only foreigners were addressed in their own language. But in the family or when he was with other Romanians he would only speak Romanian, partly the Romanian-Macedonian dialect, partly our language, which he had learned in his parents' house... Both before and after 1848, his house was well known as a Romanian household, where all Romanians were well received and well supported. In his lawyer's office he would employ only Romanian young people...He was one of those rare elderly persons in Hungary who deeply trusted the future of his nation.¹²⁰

The Budapest newspaper *Concordia* (No.1/13 July 1862) wrote that on this occasion, Gojdu, deeply moved, uttered the following words:

As a faithful son of my Church, I praise God for making me Romanian; the love I have for my people steadily prompts me to... keep doing the same, so that even after my death I can rise out of my tomb and be forever in my nation's bosom.¹²¹

Enthusiastic about Romanian cultural events, he wrote for magazines, sponsored their printing, and donated money to schools in Transylvania and Banat and to young people and their studies. With his help, starting in 1862, scholarships were granted to Romanian students in Buda and Pest. In 1848, he made his way into the political sphere by contributing to the drawing up of the "Petition of the Romanian people from Hungary and Banat", a program meant for the emancipation of Romanians. The document demanded that schools be in Romanian, autonomy for the church and direct participation in public life.¹²² Later he occupied a series of political positions as a Romanian representative in the Pest Diet and in 1869 he became a judge at the Supreme Court of Hungary. He died in February 1870.

¹²⁰ Partenie Cosma in "A Romanian Humanist the great Maecenas Emanuil Gojdu (1802-1870)"

¹²¹ *Concordia* (No.1/13 July 1862) in "A Romanian Humanist the great Maecenas Emanuil Gojdu (1802-1870)"

¹²² *Ibid.*,

Emanuil Gojdu produced a testament in 1869, one year before his death. By his will he left his entire wealth “to that part of the Romanian nation from Hungary and Transylvania that preserves the Eastern Orthodox religion”, so that they would set up the “Gojdu Foundation” according to article 7.¹²³ The foundation was supposed to grant scholarships to young students:

(...) those young men of Eastern Orthodox religion who distinguish them-selves by their good conduct and by their talent, and whose parents are not wealthy and therefore cannot see to the bringing-up and education of their children.¹²⁴

More than 4500 students received the foundation grants between 1871 and 1918, and got the opportunity to study in Vienna, Pest, Graz, Berlin, Zurich, Chemnitz, Mariabrun, Jena, Karlsruhe, Leipzig, etc. Among the famous names are Victor Babeş, Ioan Zaicu, Valeriu Branişte, Octavian Goga, Silviu Dragomir, Ioan Lupaş, Traian Vuia, Aurel Lazar, Dumitru Lascu, Nicolae Zigre, Aurel Vlad, Teodor Nes, Petru Groza, Constantin Daicoviciu, Dumitru Stăniloae.¹²⁵ The Foundation was well run and its assets grew from 6,500,934 kr in 1870 to more than 10,000,000 kr in 1918. The Foundation moved to Sibiu after 1918 because of the political situation at the time.¹²⁶

After the First World War, Hungary was to hand over the properties of the Gojdu Foundation to the Orthodox Romanians from Romania (90), from Yugoslavia, Czechoslovakia (6) and from Hungary (4), as stipulated in Art. 249 of the Trianon peace treaty.¹²⁷ The Hungarian Government did not respect the agreement clauses and blocked the Foundation’s accounts. After

¹²³ “Testamentul lui Emanuil Gozdsu”[The testament of Emanuil Gojdu], (Sibiu: Tipariul Tipografiei Archiepiscopale, 1899), pp. 11

¹²⁴ Ibid., pp. 14.

¹²⁵ “Bursierii Fundației Gojdu”[The scholarship receivers of the Gojdu Foundation], Available online at [http://www.fundatiagojdu.ro/bu.html], last accessed on 10 January 2009.

¹²⁶ Jurnalul Național, “România, moștenitoarea averii lui Emanuil Gojdu” [Romania, the heir of the Emanuil Gojdu fortune], 26 July 2004, Available online at [http://www.jurnalul.ro/stire-special/romania-mostenitoarea-averii-lui-emanuil-gojdu-64325.html], last accessed on 1 June 2009.

¹²⁷ Art. 249 of the Trianon Peace Treaty states: “The Hungarian Government shall without delay restore to nationals of the former Kingdom of Hungary their property, rights and interests situated in Hungarian territory.”

three years a new agreement was signed for the creation of a joint commission in Sibiu to deal with the problems of the Gojdu Foundation. Additional consultations took place in the 1930's and in 1937 the talks ended with the solution that Hungary had to return all the patrimony of the Gojdu Foundation to the disposal of the Sibiu "representative body."¹²⁸

The agreement was not implemented because of the Dictate of Vienna in 1940. During the Second World War, the properties were not taken care of and the money and shares in the banks lost their value due to reforms and inflation. In 1952 the Foundation stopped its activity after the Hungarian communist state confiscated its Budapest properties.

3.1.2 Public debate and the religious aspect

In 1996 the Gojdu Foundation resumed its activity in Sibiu with the help of the Transylvanian and Banat Orthodox Metropolitan and a group of intellectuals from these regions and it is recognized through a juridical decision to be the successor of the 1870 foundation.¹²⁹ The foundation is destitute today of the financial resources set forth by its benefactor and as a consequence it has started an active program to regain the lost properties with the help of authorities in Romania and Hungary.

At the present moment the estates are in the possession of an Israeli company, Autoker Holding Rt., who bought them through an auction organized by the Hungarian state.¹³⁰ Since the apparition of the new foundation, the countries involved tried to come to a settlement, but through the bilateral agreement¹³¹ signed in Bucharest in 2005 the elements of the equation were

¹²⁸ "A Romanian Humanist the great Maecenas Emanuil Gojdu (1802-1870)"

¹²⁹ Ziua, "A înviat Gojdu"[Gojdu has risen], 27 February 2006, Available online at [http://www.ziua.net/display.php?data=2006-02-27&id=194596], last accessed on 1 June 2009.

¹³⁰ Ziua, "Conspirația Gojdu dejucată" [Circumvented Gojdu conspiracy], 31 March 2006, Available online at [http://www.ziua.net/display.php?data=2006-03-31&id=196906], last accessed on 1 June 2009.

¹³¹ "Ordonanța de urgență nr.183 din 14 decembrie 2005 pentru ratificarea Acordului dintre Guvernul României și Guvernul Republicii Ungare privind înființarea Fundației Publice Româno-Ungare "Gojdu", semnat la București la

altered. The patrimony was renationalized and the Gojdu Foundation as envisaged by Emanuil Gojdu was annulled. However the foundation was a private affair and the state is not allowed to intervene and dissolve the institution or dispose of its properties.¹³² The Romanian Orthodox Church vehemently opposed the decision to recognize the new Romanian-Hungarian Gojdu Foundation to be based in Budapest and said it is an act of dispossession.

In 2007 the Romanian Senate refused to recognize the accord between the two states from two years before regarding the establishment of a Romanian-Hungarian public Gojdu foundation and the talks were set back. At the beginning of 2008 the president of the foundation, Laurențiu Streza, declared that he is trying to get the support of the Romanian state to start a lawsuit against the Hungarian state to recuperate the inheritance of Emanuil Gojdu.¹³³

The interesting position of the Romanian Orthodox Church in the events makes the discussions around the Gojdu Foundation more complex. The testamentary will of Emanuil Gojdu stated that the members of the Foundation will include representatives of the Orthodox Church in Transylvania and a group of well intended Romanian intelligentsia.¹³⁴ This means that some members of the church are also members of the foundation. However, Bartolomeu Anania, the Metropolitan of Cluj, Alba, Crișana and Maramureș, emphasizes that the Romanian Orthodox Church must not be mistaken for the Gojdu Foundation. “The Church is only sympathizing with the Gojdu Foundation”, said the Metropolitan of Cluj.¹³⁵ In a decision of the Romanian

20 octombrie 2005” [Urgent Ordinance nr. 183 from 14 December 2005 for the ratification of the accord between the Romanian government and the government of the Hungarian Republic regarding the creation of the Romanian-Hungarian “Gojdu” public Foundation, signed in Bucharest on 20 October 2005], Available online at [http://www.cdep.ro/pls/legis/legis_pck.frame], last accessed on 1 June 2009.

¹³² Fundatia Emanuil Gojdu[Emanuil Gojdu Foundation]

¹³³ România Liberă, “Mitropolitul Ardealului vrea să dea în judecată Ungaria pentru recuperarea moștenirii Gojdu”[The Metropolitan of Ardeal wants to sue Hungary to recuperate the Gojdu inheritance], 11 March 2008, Available online at [<http://www.romanialibera.ro/a119804/mitropolitul-ardealului-vrea-sa-dea-in-judecata-ungaria-pentru-recuperarea-mostenirii-gojdu.html>], last accessed on 1 June 2009.

¹³⁴ Testamentul lui Emanuil Gozsdu,[The testament of Emanuil Gozsdu], pp. 13.

¹³⁵ Conspirația Gojdu dejucată [Circumvented Gojdu conspiracy]

Patriarchy from April 2003¹³⁶, the Gojdu Foundation from Sibiu was distinguished as the “legitimate heir” and “the only one entitled to receive the patrimony confiscated abusively in Hungary and Romania”.

But can there be any differentiation between the Foundation and the Church? Theoretically, if the foundation receives the properties back, or their value in cash, it is bound to use the money for educational purposes according to the disputed testament, which does not even foresee a salary for the members of the foundation and their work.¹³⁷ Also, according to its status, in the case of forced dissolution, all the patrimony will go to the Romanian Orthodox Church.¹³⁸

In the last years the Church has become publicly visible in relation to the Gojdu affairs by supporting the retrocession of the Gojdu properties in Budapest to the Romanian side. The heads of the Church have also opposed drastically the Government’s initiative to put in place a new Romanian-Hungarian Gojdu Foundation with Hungary’s support, stressing that “although politically instrumented, the Gojdu inheritance does not represent a political problem, but a cultural one”.¹³⁹

In February 2006, the Holy Synod established that all the Orthodox bishops from Transylvania, Banat and Hungary should be actively involved and take all the necessary actions to recuperate the Gojdu wealth, in their position of legitimate representatives of the beneficiaries of Gojdu’s will.¹⁴⁰ In the next month 30,000 signatures were raised in Bihor county to support

¹³⁶ Documents, *Gojdu Foundation*, 4 April 2003, Available online at [<http://www.fundatiagojdu.ro/documente.html>], last accessed on 14 January 2009. This is my translation.

¹³⁷ Testamentul lui Emanuil Gozsdu, [The testament of Emanuil Gozsdu] pp. 17

¹³⁸ Ibid., pp. 17

¹³⁹ Ziua, “Bartolomeu Anania cere senatorilor să respingă ordonanța Gojdu” [Bartolomeu Anania asks the senators to reject the Gojdu ordinance], 22 April 2006, Available online at [<http://www.ziua.ro/display.php?data=2006-04-22&id=198373>], last accessed on 1 June 2009.

¹⁴⁰ “Comunicat de presă” [Press release], *Patriarhia Română*, 9 February 2006

the *ad litteram* application of the will after the initiatives of prof. univ. dr. Mihai Drecin, the vice-president of Gojdu Foundation in Sibiu and conf. univ. dr. Constantin Mălinaş.¹⁴¹

Discussing the heated disputes in the Parliament, the Minister of Foreign Affairs at the time, Mihai Razvan Ungureanu underlined that he expected the members of Parliament to recognize the European value of the project (the establishment of the Romanian-Hungarian Gojdu Foundation) in the detriment of the nationalistic rhetoric.¹⁴² His words paint a broad picture of how the two sides saw each other. It was a fight between tradition, perceived as the Church and the Europeans, focused on good international relations.

Nonetheless, the discourse of the Church during the bitter debates in Parliament has sought to promote the Romanian spirit, the nationalistic spirit that will not permit treason and will battle for its rights.

The attitude of the Romanian Orthodox Church in the Emanuil Gojdu case can be compared to the restitution of properties by the Church to the Greek Catholic denomination after the fall of communism. Now the Orthodox Church seems to be in the same situation. It did not want to return the buildings received from the communists to their rightful owners in the 1990's and preferred to cling on to the past decisions as long as these were beneficial. Nowadays, the Church is trying to convince the Hungarian side to abolish the communist decision of 1952 and have its properties returned.

In an interview¹⁴³ conducted in Sibiu, priest Aurel Pavel, secretary of the Gojdu Foundation, was referring to the political debate by saying that the former prime minister, Mr. Călin Popescu-Tăriceanu did not provide any help to the foundation and during the debates in

¹⁴¹ Ziua, "Ordonanța Gojdu a picat definitiv[Gojdu ordinance has definitively dropped] ", 5 March 2008, Available online at [<http://www.ziua.ro/display.php?id=234136&data=2008-03-05>], last accessed on 1 June 2009.

¹⁴² Conspiratia Gojdu dejucata[Circumvented Gojdu conspiracy]

¹⁴³ I conducted the interview on 15 April 2009 in Sibiu with priest Aurel Pavel, secretary of the Gojdu Foundation.

Senat, they were advised to be less vociferous and not to create problems that could jeopardize Romania's integration into the European Union and NATO. He mentioned that currently there is talk among the members of the foundation of starting a court trial against the Romanian government that promised after 1918 to help recuperate the assets from Hungary and did not do fulfil its duty. The representing member said the trial is extremely expensive and the foundation does not have the money to start such an initiative in Hungary.¹⁴⁴ He also brought up that according to Hungarian law, they would not win back the possessions, but would only receive as restitution an apartment with three rooms, which does not compare to the value of the old buildings in the centre of Budapest or with the money blocked in Hungarian banks.

The Gojdu case has received wide media coverage starting with 2002, the bicentenary of Emanuil Gojdu's birth. The Gojdu Foundation made many declarations in newspapers where they were lobbying for respecting the private testament of the Maecenas. "A vote against the Urgent Governmental Ordonance actually means a vote for the young Romanians that will benefit from the Gojdu scholarships"¹⁴⁵ said Anania. The same article presents a statement in the name of the foundation which trusts that senators will vote "wisely and patriotically." These are clear signs of a nationalistic speech used by members of the Orthodox Church.

There is even an online petition¹⁴⁶ collecting signatures in support for the cause of the Gojdu Foundation which asks for the dismissal of the international bilateral agreement between Hungary and Romania, rejects the existence of a new foundation, demands full support from the Romanian state for the Gojdu foundation and urges the initiation of negotiations for the

¹⁴⁴ He said the estimated costs six years ago were of 50,000 Euros to start the court proceedings.

¹⁴⁵ ZIUA, "Patriarhul îndeamnă Senatul să respecte Testamentul Gojdu" [The Patriarch advises the Senate to respect the Gojdu Testament], 24 May 2006, Available online at [<http://www.ziua.net/display.php?data=2006-05-24&id=200206>], last accessed on 31 May 2009.

¹⁴⁶ Petiție pentru respectarea Testamentului lui Emanuil Gojdu [Petition for respecting the testament of Emanuil Gojdu], Available online at [<http://www.petitiononline.com/gojdu/>], last accessed on 1 June 2009.

recuperation of assets. 2,459 persons signed the petition so far. Another action reinforcing nationalistic feelings is the proposition of Senator Aurelian Pavelescu to canonize Emanuil Gojdu.¹⁴⁷ Such a course of action would legitimize the continuous efforts to regain the lost properties and it would also constitute an advantage for gaining mass support in future endeavors.

Even though it was repeated many times that the Foundation must not be mistaken for the Romanian Orthodox Church, it is hard to make this difference when its members hold clerical positions and the will stipulates the fortune will be left to the Romanian Orthodox Church in case of liquidation. These facts paint a telling picture of the Church's influence and what it can achieve in practice. The most important aspect of this case study is the present result. Through their media interventions, Orthodox leaders stopped the adoption of a governmental decision. By appealing to national feelings, "Romanianism" and victimization, the balance was made to lean in favor of the Foundation. The solution found by the foundation is taking the Romanian state to court for unfulfilled duties. More than a year went by since the last declaration and no actions were taken.

In a country where trust in the Church reaches very high levels, the links between church and state are extremely complex. The example of Emanuil Gojdu's property sketches a detailed picture of how the Romanian Orthodox Church understands its role in keeping the national faith alive.

¹⁴⁷ Ziua, "Gojdu propus pentru canonizare de Pavelescu" [Gojdu proposed for canonization by Pavelescu], 3 April 2006, Available online at [<http://www.ziua.net/display.php?data=2006-04-03&id=197084>], last accessed on 1 June 2009.

3.2 *The construction of the Orthodox “Mântuirea Neamului” Cathedral*

3.2.1 The old Orthodox dream

At the beginning of 2005, the Parliament passed a bill approving the construction of the Salvation cathedral, the 120 year old dream of the Romanian Orthodox Church. Meant to stand for the independence and the unity of the people, the idea was born between 1878¹⁴⁸ and 1881¹⁴⁹, as the churches at that date were not sufficient to host the number of believers. It was a long process to arrive at this bill. During the years, the project changed location several times, moving from Unirii Square to park Carol and now on the Arsenal hill. After seven unsuccessful locations, the last one, behind the Parliament palace, on the Arsenal hill, seems to be the best proposal. Nevertheless, from the eleven hectares of land available, almost half need to be given back to their initial owners. This was not regarded as a problem and it did not stop the orthodox patriarch from blessing the land for the future construction.¹⁵⁰ One of the issues popping up with this pronouncement is the financial issue, as the cathedral will be budgeted by the state. The edifice will be higher than People’s House and will be visible from every point in the city. Adrian Bold, the chief architect of Bucharest also emphasized that the building will represent, because of its grandness and position in the city, a “symbol of victory through and for the faith of the Romanian nation.”¹⁵¹ The symbolic value of this project is to reinstate the Orthodox Church as a dominant Church in Romania in the absence of constitutional primacy.

¹⁴⁸ Romanian War of Independence

¹⁴⁹ Proclamation of the Romanian Kingdom

¹⁵⁰ HotNews, “Piatra de temelie la Catedrala Neamului, așezată pe terenuri ce ar trebui retrocedate” [The foundation rock of the People’s Cathedral, placed on lands that need to be retroceded], 20 November 2007, Available online at [<http://www.hotnews.ro/stiri-arhiva-1501766-piatra-temelie-catedrala-neamului-asezata-terenuri-trebui-retrocedate.htm>], last accessed online at 13 April 2009.

¹⁵¹ Ziua, “Catedrala Neamului lângă Casa Poporului” [People’s Cathedral next to People’s House], 10 February 2005, Available online at [<http://www.ziua.net/display.php?data=2005-02-10&id=169219>], last accessed on 13 April 2009. This is my translation.

When Pope John Paul II visited Romania in May 1999, the patriarch Teoctist announced that his counterpart is one of the first donors of funds¹⁵² for the construction of the Orthodox Cathedral.¹⁵³ The gesture can be interpreted as an approval of the Vatican, which recognises the Romanian Orthodox Church to be an equal partner on the religious market, while the Catholic Church renewed its position of leader of reconciliation. Image gains were mutual. Orthodox leaders also received support from the Polish Orthodox metropolitan, who donated a golden cross for the future cathedral.¹⁵⁴

3.2.2 Discussions about the fairness of the project

The project was closely followed by the Văcăroiu government (1992-1996), Ciorbea and Radu Vasile (1996-1999). The visit of Pope John Paul II in Romania was though to be fundamental for obtaining the support of authorities in the project.

In 2005, an Urgent Ordinance of the Government decided that the entire sum of money needed for the construction should be supplied by the Patriarchy. In 2007, when a new proposal appeared in Parliament asking the state to provide funds for the building, Prime Minister Tăriceanu used the secularism of the state as an argument. He did not agree with a law that establishes the Government's obligation to offer money for the cathedral. The main objectives of such a law would be to gain political support in the long run for the parties in power. In the end the parliament forced the government to take upon itself part of the costs, "in the limit of the

¹⁵² According to the declaration of Vincențiu Ploieșteanu Vatican's donation was of 100.000 dollars and the promise they will continue to contribute.

¹⁵³ Ziua, "Papa a ajutat la ridicarea Catedralei Neamului" [The Pope contributed to the construction of Mântuirea Neamului cathedral], 10 May 1999, Available online at [<http://www.ziua.net/display.php?data=1999-05-10&id=24740>], last accessed on 1 June 2009.

¹⁵⁴ Ziua, "Mitropolitul Poloniei i-a dăruit Patriarhului Teoctist o cruce de aur pentru Catedrala Neamului" [The Metropolitan of Poland gave patriarch Teoctist a golden cross for the Mântuirea Neamului cathedral], 25 September 2000, Available online at [<http://www.ziua.net/display.php?data=2000-09-25&id=50643>], last accessed on 1 June 2009.

annual sums allotted with this destination through the budget of the Ministry of Culture and Religious Denominations, and the ones of the local public authorities.”¹⁵⁵

The earlier press releases were establishing the equal contribution of the state and the Church for the project. Despite these last minute modifications, the core of the matter is the same. State administration grants money and support to the majority religious denomination in the detriment of others. Law 261 of 5 October 2005 contains the text “the architectural ensemble “Mântuirea Neamului” cathedral, symbol of two thousand years of Christian faith on Romanian soil.”¹⁵⁶ There is no *ad litteram* reference to the Orthodox Church and by comprising all the Christian denominations in the law, the message sounds less discriminatory. Nevertheless, the real construction dedicated to Orthodox Christians has no connection in practice to the wording of the text. In reality the project refers to the Orthodox confession and its funding from state budget is highly problematic.

This raises some questions, as all tax payers will have to sustain the estimated cost of 400 million Euros¹⁵⁷, even if they are not Orthodox. In the context of the current financial crisis, it could also be argued that, since the Church and the state are separated, the financial help of the state for the construction of this cathedral can be viewed as unconstitutional.

A press release of the patriarchy in 2004 emphasized the role of the cathedral as a symbol of national unity that belongs to all the Romanians in the country and abroad.¹⁵⁸ No mention is

¹⁵⁵ Law 376/2007, 28 December 2007, Available online at [http://www.cdep.ro/proiecte/2007/500/60/3/leg_pl563_07.pdf], last accessed on 1 June 2009.

¹⁵⁶ Law 2261/2005, 5 October 2005, Available online at [http://www.cdep.ro/pls/legis/legis_pck.frame], last accessed on 1 June 2009. This is my translation.

¹⁵⁷ Front News, “Catedrala Neamului va fi construită din rezerva bugetară a Guvernului” [People’s Cathedral will be built from the budget reserve of the Government], 8 January 2008, Available online at [http://www.frontnews.ro/social-si-economic/infrastructura/catedrala-neamului-va-fi-construita-din-rezerva-bugetara-a-guvernului-6162], last accessed on 14 April 2009.

¹⁵⁸ Ziua, “Poziția oficială a Bisericii privind Catedrala Mântuirii” [The official position of the Church regarding Mântuirea Neamului cathedral], 25 March 2004, Available online at [http://www.ziua.net/display.php?data=2004-03-25&id=142820], last accessed on 1 June 2009.

made of confessions, only the word “Romanians” appears. I believe this statement sums up the main argument of the Orthodox Church: National unity encompasses all Romanian citizens irrespective of their religious views and it constitutes a moderate appeal for support with no signs of direct religious discrimination. The logic behind it is that all Romanians should support the project because it stands for a higher principle and not necessarily for a specific denomination. National identity appears side by side with the construction of the Orthodox cathedral.

The works on the cathedral were expected to start in April 2009, but were postponed. For now, architects contribute their ideas without being remunerated. The Patriarchy underlined that so far, 200,000 dollars were spent on the previous two projects with no results. Spokesperson for the Patriarchy, Constantin Stoica, pledged that the Patriarchy will administer the budget of the project very carefully.¹⁵⁹

The analysis of our cases studies ended with Chapter 3. Property restitution in the Emanuil Gojdu case and the construction of the Orthodox cathedral in Bucharest have been selected to describe situations when the Orthodox Church was successful in its actions and also received population’s vote of confidence. By no means have I wanted to lead readers to believe that no contestation was heard from civil society. Both examples included debates; however, the final decisions were positive in respect to the Church. By investigating the public discourse used by Orthodox leaders in these two particular cases, I found evidence for my argument. National identity was indeed the recurrent principle referred to both in dealing with state authorities and the larger society.

¹⁵⁹ Ziare.com, “Lucrările la Catedrala Neamului vor fi întârziate” [The works at the People’s Cathedral will be delayed], 3 March 2009, Available online at [http://www.ziare.com/Lucrarile_la_Catedrala_Neamului_vor_fi_intarziatie-684556.html], last accessed on 14 April 2009.

Conclusion

Motto

“We can say that the communist regime in Romania did not succeed with the organized atheism due to orthodox piety, a non secularized piety. Romanian Orthodoxy saved the Christianity of martyrs and saints in Europe!”¹⁶⁰

Church and State are two fundamental institutions in Romania whose relations have evolved continuously and find themselves nowadays, when they are separate from each other, still intricately intertwined. From dominant Church in 1923, to autocephalous and unitary in 1948 and equal with other religious denominations in 2003, the Orthodox Church has undergone a multitude of changes. During the communist period the Church was controlled by the party and after the 1989 revolution, new modifications occurred, freedom of expression was introduced and with it came freedom of religion. New religions appeared on the scene, which in turn forced the Orthodox Church to discover new ways of survival and, if possible, of gaining support.

One trait to differentiate Orthodoxy from other religions in Romania is its close ties with national identity. Throughout history Romanian Church leaders were involved in the process of nation-building and they reiterated their support towards the idea of state sovereignty in 1878 and 1918.

My research investigates the direct link between the nationalist discourse of the Orthodox Church in Romania and the influence exerted over public opinion through it. Moreover, I believe the gained influence allows for successful endeavours where the Church is involved. The study

¹⁶⁰ Ion Bria, op. cit., pp. 21.

focused on four cases: the involvement of clergymen in general elections; the restitution of properties towards the Greek-Catholic denomination; the property restitution from the Hungarian state to the Gojdu Foundation in Sibiu and the construction of the Orthodox cathedral “Mântuirea Neamului” in Bucharest.

To inspect if my argument was viable I chose to separate the cases into two sets. The first set included the first two aforementioned cases and the second was comprised by the other two. The reason for this separation is that I wanted to test my hypothesis not only on cases that seem predisposed to fit my category, but also on cases that did not. Under the title of “Case studies where the trust in the Church was weakened” and “Case studies where the trust in the Church was reinforced”, I conducted my examination.

The first set of cases showed that public opinion was not eager to see priests involved in politics. In this particular case, the Church reminded the population that according to the 1923 Constitution, Church leaders were senators for life and patriarch Miron Cristea was part of King Michael’s regency and also became Prime Minister for a short while in 1938. I think the nationalist discourse was used but it did not manage to uphold the Holy Synod’s decision. However, here we find another factor that I believed influenced the overall attitude of citizens. Since 1990 the leadership of the Orthodox Church shifted its position between non-involvement and involvement of priests in general elections and their political affiliation. With attitudes changing every four years society loses respect and can actually lose its trust in the institution.

The second case adverts to the restitution of properties to the Greek-Catholic Church. This Church was taken outside the law in communist times and in 1990 it regained its lost position. Once legality was reinstated the institution asked back for the properties confiscated unrightfully. The properties, in possession of the Orthodox Church constituted a real problem for many years,

because the Church refused at first the dialogue with the claimer. The Patriarchy regarded the act of reunification of Greek-Catholics with the Orthodox brothers in 1948 as a closed subject. Nowadays, the National Authority for the Restitution of Property deals with the cases of restitution and significant changes have occurred in the last years with the help of dialogue.

The second set of cases was grouped together because they portray examples of where the nationalistic discourse functioned to its fullest. In the case of Emanuil Gojdu's properties, the appeal to patriotism gained support and Gojdu Foundation and the Orthodox Church were successful. Through their actions they blocked a governmental ordinance that was supposed to ratify the bilateral agreement between Hungary and Romania and the emergence of a new foundation.

When it comes to the building of the Orthodox Cathedral "Mântuirea Neamului", the idea of national feelings is already contained in the name. The old desire of Romanian Orthodoxy is strongly attached to national sovereignty. Among the reasons supporting the claim of building it is the symbolic importance offered to the Church for its historical support of the nation-building process. A sign that this project was victorious is the fact that the Government took the engagement of providing money from state budget for its completion and the fact that after more than ten years of debates, the bill for its adoption was finally approved.

This study brings arguments that reinforce the importance of the nationalistic discourse in modern Romania. Nationalism still constitutes a triggering factor for mass support. However, nationalistic discourse alone is not always enough to secure positive results. Traditional institution, the Orthodox Church, enjoys high levels of trust with small variations from year to year. And it seems that the debates and scandals surrounding it did not influence its overall image. When the Church has the population's support and debates surrounding the issue are less

vigorous, its actions are usually triumphant. My research underlines the importance of nation-Church relationship, which is acknowledged by scholars but remains in the background. I stress this connection, its usage and its possible effects. The cases presented deepen our understanding and lead to provisions regarding Church's future activities. The link between nationalistic speech and trust is not directly proportional, which means that the actions of the members of the institution are judged separately and they do not significantly interfere with Church's general image.

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